CORRESPONDENCE IN LIEU OF DIRECTORS' MEETING MONDAY, FEBRUARY 28, 2005

I. MAYOR

- *1. NEWS RELEASE RE: Open House Planned For Improvements In South 27th And Yankee Hill Area-(See Release)
- *2. Washington Report February 11, 2005.
- **3. NEWS ADVISORY- RE: Members of the media are invited to cover all the Abraham Lincoln Celebration events from Noon to 6:00 p.m. on Sunday, February 20th at North Star High School (See Advisory)
- **4. NEWS ADVISORY RE: Mayor Seng's Public Schedule Week of February 19-25, 2005-Schedule subject to change-(See Advisory)
- **5. Washington Report February 18, 2005.

II. DIRECTORS

FINANCE DEPARTMENT/CITY TREASURER

- *1. Monthly City Cash Report City of Lincoln-Pledged Collateral Statement January 31, 2005.
- **2. EMS Cash Receipts/Expenditure Data FY 2004-05.
- **3. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer RE: Resolution & Finance Department, Treasurer of Lincoln, Nebraska Investments Purchased February 7 thru February 18, 2005.

PARKS & RECREATION

**1. Material - RE: Tree Easements -(See Material)

PERSONNEL

**1. Memo from Don Taute - RE: Bill #05-10 - response to the Action from the February 14, 2005 meeting, Item #22 on the Agenda -(See Memo)

PLANNING

- *1. Letter from Brian Will to Kent Braasch, Essex Corporation RE: The Preserve on Antelope Creek 7th Addition-Final Plat #04094 generally located at South 80th Street and Pioneers Blvd. (See Letter)
- **2. Message from Jean Walker RE: Wal-Mart Public Hearing Postponement Notice (See Notice)

PLANNING COMMISSION FINAL ACTION

*1. Special Permit No. 1816A (Continuation of soil excavation operation-N.W. 40th & West Vine Streets) Resolution No. PC-00902.

PUBLIC WORKS & UTILITIES

- *1. Public Works & Utilities ADVISORY RE: Pre-Construction Open House-South 27th Street and Yankee Hill Road Improvements-Project Numbers 701668, 701662, 701596B-(See Advisory)
- **2. Letter & Motion-To-Amend #1 from Michael Brienzo, Transportation Planning, Public Works Dept. to Marvin Krout, Planning Director-RE: Transportation Amendments for the US-77 Highway Improvements: Lincoln West Beltway -(See Material)
- **3. Memo & Map from Nicole Fleck-Tooze RE: Item #4 05-19 on City Council Agenda-Proposed 2005 Storm Sewer & Drainage System-GO Bond Issue-General Project Locations -(See Material)

WEED CONTROL AUTHORITY

*1. Combined Weed Program-City of Lincoln-January 2005 Monthly Report.

III. CITY CLERK

*1. Letter from Deputy City Clerk Teresa J. Meier to D.O. & J.O., Inc., DBA O'Rourke's Tavern - RE: Please be advised that the Lincoln City Council, on 2/14/05, continued the public hearing & action on the application of O'Rourke's Tavern to Feb. 28th - City Council requires your attendance at the meeting & requests a computerized mock-up of the design of the 6 ft. fence to be used-(See Letter)

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

- 1. Request to Finance Department RE: Storm Sewer Bond Issue Project Expenses (RFI #88 02-18-05). 1.) SEE RESPONSE FROM PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#88-02/23/05.
- **2. E-mail correspondence to Jon Camp from Rob Simon RE: Eminent Domain Process. (See e-mail)
- **3. E-mail to Jon Camp from John Hornyak RE: 24 Hour Lighting on the Livingston Property -(See E-Mail)

JONATHAN COOK

1. OUTSTANDING Request to **Public Works & Utilities Department** - RE: Snow plowed onto sidewalks repeatedly (RFI#122 - 01/11/05)

GLENN FRIENDT

1. Request to Marc Wullschleger, Urban Development Director /Lynn Johnson, Parks & Recreation Director - RE: Next steps for the University Place property vacation (RFI#41-02/02/05). — 1.) SEE RESPONSE FROM MARC WULLSCHLEGER, URBAN DEVELOPMENT DIRECTOR RECEIVED ON RFI#41-02/09/05.

ANNETTE McROY

1. Request to Don Taute, Personnel Director RE: Breakdown for Each Department for specifically requested information on M-Class Employees for Years 1995, 2000 and 2003 (**RFI** #164 - 02-18-05 - Joint Request w/P.Newman)

PATTE NEWMAN

- 1. Request to Ann Harrell, Acting Public Works Director/ Larry Worth, StarTran RE: Larry Worth's memo summarizing the StarTran Town Hall Meeting on Jan. 22nd (RFI#29-02/08/05). 1.) **SEE RESPONSE FROM LARRY WORTH, STARTRAN RECEIVED ON RFI#29-02/10/05.**
- 2. Request to Don Taute, Personnel Director RE: Breakdown for Each Department for specifically requested information on M-Class Employees for Years 1995, 2000 and 2003 (**RFI**#30 02-18-05 Joint Request w/A.McRoy)
- **3. E-mail to Patte Newman from Paul Marxhausen with response from Joan Ray RE: Note on Wal-Mart, 84th & Adams-(See E-Mail)
- **4. E-mail to Patte Newman from Todd Wicken, R.O.W. Division, Property Management RE: The proposed Wal-Mart at 84th & Adams-(See E-Mail)
- **5. E-mail to Patte Newman from Brandon Koll & Shelley Longsine RE: Woods Park Master Plan-(See E-Mail)

V. MISCELLANEOUS

- *1. E-mail from Melissa Landis RE: Support Change of Zone #05003 & Miscellaneous #05001(Council received a copy of this E-Mail on 2/14/05) (See E-Mail)
- *2. E-mail from Fernando Pages RE: 405 S. 26th Street (Council received on 2/14/05) (See E-Mail)
- *3. E-mail from Fernando Pages RE: 405 S. 26th Street (Council received on 2/14/05)(See E-Mail)
- *4. E-mail from Congressman Emanual Cleaver, II RE: Regional Mayors' Summit on Friday, February 18, 2005 (Council received on 2/14/05)(See E-Mail)

- *5. E-mail from Tim & Ellen Kraft RE: Smoking Ordinance -(See E-Mail)
- **6. E-mail from Peggy Struwe, President of the Hawley Area Neighborhood Association RE: COZ #05003 & Miscellaneous #05001 (Lighting Standards for Businesses that abut residential zoning districts.
- **7. E-mail from Mary Roseberry-Brown RE: Proposed Hotel Development-Eminent domain for hotel -(See E-Mail)
- **8. E-mail from John Ewald, Senior, Palmyra High School- RE: 'Thank you' was present at the Jan. 31st Council meeting- voting to waive the impact fee for the veterinary office-(See E-Mail)
- **9. E-mail from Jay Edmiston RE: Wal-Mart at 84th & Adams -(See E-Mail)
- **10. E-mail from Nancy Thyparambil, Faith Lutheran School RE: Wal-Mart at 84th & Adams-(See E-Mail)
- **11. E-mail from Larry Giebelhaus-RE: Smoking Ban-(See E-Mail)
- **12. E-mail from Joseph W. Johnson, Jr.-RE: Eminent Domain-(See E-Mail)
- **13. Letter from Brian & Dana Meves RE: The proposed Wal-Mart at 84th & Adams -(See Letter)
- **14. E-mail from David Oenbring RE: Eminent Domain-(See E-Mail)
- **15. Letter from Polly McMullen, President, Downtown Lincoln Association; & Michelle Waite, Chair, Downtown Lincoln Association to Mark Hunzeker, Pierson Fitchett Law Firm RE: On behalf of the DLA Executive Committee, we thank you for joining us at our February 15th meeting to discuss proposed changes to the downtown theater policy which your client, Dr. Greg Sutton, intends to submit to the City-(See Letter)
- **16. E-mail from Jim Johnson RE: Don't water down the Living Wage ordinance! (See E-Mail)
- **17. E-mail from Michael & Shari Luft RE: The proposed Wal-Mart Super Center (See E-Mail)
- **18. E-mail from Jo Forbes RE: Woods Park Tennis Courts-(See E-Mail)

- **19. E-Mail from Mel Meister RE: Against the City putting another hotel downtown and destroying many small businesses that are located on that block-(See E-Mail)
- **20. E-mail from Kenneth & Ada Bishop RE: Eminent Domain-(See E-Mail)
- **21. Letter from Rick Meyer RE: The Capital Humane Society contract-(See Letter)
- **22. E-mail from Janelle Lamb RE: Proposed Hotel Site and Eminent Domain-(See E-Mail)
- **23. E-mail from David Lamb RE: Eminent Domain (See E-Mail)
- **24. E-mail from Jessica A. Swift, RD, LMNT RE: Opposed to Hotel Project-(See E-Mail)
- **25. E-mail from Joseph W. Johnson, Jr. RE: Eminent Domain -(See E-Mail)
- **26. E-mail from Roger Yant RE: Eminent Domain (See E-Mail)
- **27. E-mail from Jack Graziano RE: Eminent Domain BBR -(See E-Mail)
- **28. E-mail from Joe Durante RE: Hotel Development -(See E-Mail)
- **29. E-mail from Karon Harris RE: Wal-Mart Proposal at 84th & Adams-(See E-Mail)
- **30. E-mail from Doyle Adams RE: The proposed Wal-Mart at 84th & Adams-(See E-Mail)
- **31. Letter from Michael McDannel RE: Opposed-Woods Park Master Plan-(See Letter)
- **32. Letter from Richard Kimbrough RE: Eminent Domain -(See Material)

VI. ADJOURNMENT

*HELD OVER FROM FEBRUARY 21, 2005. *ALL HELD OVER UNTIL MARCH 7, 2005.

da022805/tjg/jvr

AYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

DATE: February 18, 2005

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Members of the media are invited to cover all the Abraham Lincoln Celebration events from noon to 6 p.m. Sunday, February 20 at North Star High School, 5801 North 33rd. A schedule is attached, and more information is available on the City Web site at lincoln.ne.gov.

The information desk will be just inside the main entrance to the school. I will be available on my cell phone most of the day. The number is 525-1520. I can help arrange interviews with the performers.

Television stations may tape the first five minutes of the events in the auditorium, but are not allowed to use lights.



VISORY MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: February 18, 2005

Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng's Public Schedule Week of February 19 - 25, 2005

Schedule subject to change

Saturday, February 19

- Volunteer at Food Share 7:30 a.m., Fourth Presbyterian Church, 5200 Francis Street
- Welcome home National Guard 267th Ordinance Company from Iraq, remarks 9 a.m., East High School, 1000 South 70th

Sunday, February 20

Abraham Lincoln Birthday Celebration - noon to 6 p.m., North Star High School, 5801 North 33rd Street

Monday, February 21 - President's Day federal holiday, City offices closed

Tuesday, February 22

- KLIN Radio live call-in show 9 a.m., 4343 "O" Street
- Farewell reception for Harold Clarke, Director of State Department of Correctional Services, present Key to the City - 2:15 p.m. Correctional Services Central Office, Building 1, lower level conference room, Folsom and West Prospector Place

Wednesday, February 23

Rotary Centennial Celebration, remarks - 11:30 a.m., Cornhusker Hotel, 333 South 13th Street

Thursday, February 24

- News Conference 10 a.m., location and topic to be announced
- Community Leaders Luncheon noon, BryanLGH East, sixth floor of Physician Tower, 1600 South 48th Street
- Community Conversation- 7 p.m., Anderson Hall, UNL

CITY OF

Washington Report

Vol. 11 No. 4 February 18, 2005

City of Lincoln -- Washington Office

Congress Begins President's Day Recess

INSIDE

Congress	I
Budget	1
Housing and CD	1
Transportation	2
Job Training	2
Grant Opportunities	3

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www.capitaledge.com/ archive.html

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Congress

House leaders announce major legislation to be considered prior to the Easter recess. House Majority Leader Tom DeLay (R-TX) said this week he believes the House will consider five major pieces of legislation in the weeks leading up to the congressional break scheduled to begin on March 21. They are measures to:

- or provide for continuity of the Congress in the event that a major disaster killed 100 or more Members:
- reauthorize federal job training programs through the Workforce Investment Act (WIA);
- reauthorize federal surface transportation programs through the Transportation Equity Act for the 21st Century (TEA-21);
- very provide \$81.9 billion in supplemental FY 2005 spending for overseas military operations and tsunami relief, and
- oprovide spending limits to the Appropriations Committees through the FY 2006 budget resolution.

Congress began their week-long President's Day recess today and will resume official business on Tuesday, March 1.

Budget

Congress ponders Bush budget proposal, looks to complete FY 2006 budget resolution. One week after President Bush sent his proposed budget for FY 2006 to Capitol Hill, House and Senate Republicans generally agreed that while they would attempt to stay within the general spending limits, changes should be expected as the budget process progresses.

For the next several weeks, the House and Senate Budget Committees will attempt to craft a FY 2006 budget resolution, a broad-based outline of spending for the year under which the Appropriations Committees must operate when they are determining specific program funding. The resolution by law is supposed to be completed by April 15 each year, but given the deep partisan divides in Congress recently, that deadline is infrequently met, and in some years there is no budget resolution at all.

This week, the Chairmen of the House and Senate Budget Committee agreed that they would seek to achieve the "broad policy targets" of the Bush proposal: capping discretionary spending at \$840 billion; reducing the \$427 billion deficit to \$207 billion by 2010, and achieving "significant" savings from mandatory programs. However, this task may be much more difficult than it seems, as supporters of popular domestic discretionary programs slated for cuts in the Bush budget (farm-state Senators in particular) have already begun to indicate their distaste for some of the recommendations.

A list of the 154 programs that the Bush Administration has recommended for elimination in its proposed FY 2006 budget can be found at: www.capitaledge.com/cuts.pdf.

DUE TO THE PRESIDENT'S DAY RECESS, THE NEXT WASHINGTON REPORT WILL BE DELIVERED ON FRIDAY, MARCH 4

Meanwhile, the President this week sent to Congress his proposal for FY 2005 supplemental spending to cover increasing costs of overseas military operations. The majority of \$81.9 billion request would be used to bolster the troops in

P 2 February 18, 2005 Washington Report

Iraq and Afghanistan, but some Members of Congress have objected to placing an "emergency" spending tag on items such as the construction of an embassy in Baghdad and other items.

Housing and CD

Senators are circulating letter supporting the CDBG program. A bi-partisan group of Senators have drafted a letter that would be sent to the leaders of the Senate Budget Committee requesting that the Community Development Block Grant (CDBG) program be funded at its FY 2005 level of \$4.732 billion and remain within the Department of Housing and Urban Development.

The letter is in response to the Bush Administration proposal to eliminate the CDBG program and transfer all federal responsibility for 18 community and economic development programs to a new \$3.7 billion program at the Department of Commerce.

The authors of the letter are Senators Norm Coleman (R-MN); Patrick Leahy (D-VT); Christopher Bond (R-MO); Jack Reed (D-RI); Mike DeWine (R-OH), and Paul Sarbanes (D-MD). Senators who have also signed on to the letter include George Allen (R-VA); Jeff Bingaman (D-NM); Jon Corzine (D-NJ); Richard Durbin (D-IL); Christopher Dodd (D-CT); James Jeffords (I-VT); Edward Kennedy (D-MA); Herb Kohl (D-WI); Frank Lautenberg (D-NJ); Carl Levin (D-MI); Charles Schumer (D-NY), and Debbie Stabenow (D-MI).

Local government organizations are encouraging their members to urge their Senators to sign onto this CDBG letter as soon as possible. A copy of the letter can be found at:

www.capitaledge.com/cdbgletter.pdf.

Meanwhile, the Department of Housing and Urban Development this week release a study of the CDBG formula that had been requested during President Bush's first term. Those conducting the study were tasked with improving the targeting of the CDBG program while minimizing funding

shifts between communities. Some believe that the release of this study at a time when the white House budget office has been critical of the program is not a coincidence. The study was supposed to be placed on the HUD web page today at www.huduser.org.

Transportation

House T&I Committee demands budgetary firewall guarantees. On Wednesday, the House Transportation & Infrastructure Committee contested the Bush Administration's proposal in its FY 2006 budget plan to eliminate the transportation program budgetary firewalls, which guarantee the general fund component of transit programs. Formal commentary is included in their "Views and Estimates" report for budget related issues under the Committee's authority.

"The Committee's position is that all highway and transit authorizations must be guaranteed, regardless of whether the programs are funded through the Highway Trust Fund or the general fund," the bipartisan report reads. Committee ranking member James L. Oberstar (D-Minn) said "we're not going to give this up again...we're going to move it anyway, and if the people downtown don't like it, they can get out of the way." Administration made similar recommendation last year, but lawmakers in both chambers resisted the change.

The Views and Estimates report does not comment on Amtrak and the Administration's recommendation to eliminate all funding for the intercity passenger rail corporation. The document states that it will reintroduce a three-year, \$6 billion reauthorization plan for Amtrak.

The Committee also attacked a number of aviation and transportation security-related budget cuts supported by President Bush, including a proposal to increase the aviation security fee, recommendations to shrink funding for the FAA Facilities & Equipment (F&E) program, and a proposal to cut the Airport Improvement Program

(AIP). The Committee disputes the proposed AIP cut, stating "Under the current statutory formula, an AIP funding level of \$3.0 billion would result in a 50 percent reduction to airport entitlement funds."

Donor state issue may be settled. A House GOP leadership aide alleged this week that the "donor-donee" state issue regarding highway funding was resolved on Wednesday, but T&I Committee sources contest the statement. The aide said that House T&I Committee Chairman Don Young (R-AK) agreed to raise the minimum guarantee percentage of gas tax revenues that states receive from the Highway Trust Fund to 92 percent. Although the Senate may hold out for the desired 95 percent, lawmakers and administration officials warn that it is not possible to increase the rate of return to 95 percent without sending Bush the \$318 billion bill the Senate passed last vear.

In a related item, Senate Environment and Public Works Committee Chairman James Inhofe (R-OK) indicated this week that the TEA-21 reauthorization bill he will introduce in the next few weeks will be at the \$284 billion level that has reportedly been agreed upon by the House and the Bush Administration. However, Inhofe expected that there would be attempts to raise that level on the Senate floor, and that those efforts might be successful given the chambers overwhelming support of the \$318 billion level last year.

Job Training

WIA reauthorization heads to House floor. The House Education and the Workforce Committee approved legislation (HR 27) this week that would reauthorize the Workforce Investment Act (WIA). HR 27 would combine most adult training programs, including the Dislocated Workers Program and the Adult Block Grant, into a single block grant. However, the bill would leave the Youth Block Grant as a separate program.

The bill would authorize \$1.25 billion for

P 3 February 18, 2005 Washington Report

the Youth Block Grant and \$3.14 billion for the new Adult Block Grant in FY 2006 and such sums as may be necessary for FY 2007 through FY 2011. The bill would also reauthorize the Job Corps Program. The bill incorporates the President's community college and personal reemployment account proposals with no specific authorization level.

Much of the debate during the Committee's consideration of the bill focused on language in the bill allowing religious groups that receive WIA funding to use religious preference is hiring. The Committee rejected amendments to delete that language on party line vote, but it could be problematic when the Senate considers WIA reauthorization.

House Majority Leader Tom DeLay (R-TX) said that the House will consider HR 27 in March. The Senate Health, Labor, Education and Pensions Committee has yet to take any action on similar legislation.

Grant Opportunities

Department of Justice, February 15: The Bureau of Justice Assistance is accepting applications for the Drug Court Discretionary Grant Program to provide seed money to establish drug courts for nonviolent substance-abuse offenders. The Bureau strongly recommends that communities planning a drug court should participate in the Bureau's Drug Court Planning Initiative before applying for funding through this program (see www.dcpi.ncjrs.org/dcpi.html). Grants for implementation are not to exceed \$450,000 and for enhancement are not to exceed \$200,000. Both require a non-federal match of at least 25 percent. Applications are due March 31, 2005. For more information, see www.ojp.usdoj.gov/BJA/grant/05DrugCo urtSol.pdf. (Grants.gov)

Department of Health and Human Services, February 17: The Substance
Abuse and Mental Health Services
Administration (SAMSHA) is accepting applications for the *Family and Juvenile Treatment Drug Courts Grant Program*. The

program funds treatment provider and court services such as alcohol and drug treatment. wrap-around services. assessment, case management, program coordination. The program only funds enhancements to existing treatment drug courts and not start-up funds. There is \$6.3 million available for up to 16 awards, and the maximum award is \$400,000 per year for no more than three years. There is no required match. Applications are due April 15, 2005. For more information, see www.samhsa.gov/grants/2005/nofa/ti0500 5 drugcourts.aspx. (Grants.gov)

Department of Health and Human Services, February 17: The Substance Abuse and Mental Health Services Administration (SAMSHA) is accepting proposals for the Cooperative Agreements for the Comprehensive Community Health Services for Children and Their Families Program. The program funds projects to deliver and sustain effective systems of care for children with serious emotional disturbances and their families. Applicants are required to demonstrate sustainable infrastructure development, required mental health and support services, and clinical interventions and care management that are family-driven, youth-guided, and culturally and linguistically sensitive. There is \$24 million available for 24 cooperative agreements, and awardees are required to provide at least \$1 for every \$3 of federal money the first three years and increasing over the following three years. Applications are due May 17, 2005. For more information, see

www.samhsa.gov/grants/2005/nofa/sm05 010rfa cmhi.aspx. (Grants.gov)

City Livability Awards Program: The U.S. Conference of Mayors and Waste Management are accepting applications for the City Livability Awards Program. National recognition will be awarded to twenty mayors for programs which make a city more livable. Awards will be given in two categories: cities with populations below 100,000 and cities above 100,000. The application can be accessed from the Conference of Mayors website at www.usmayors.org and is due March 7, 2005. Call Jocelyn Bogen or Kathy

Amoroso with questions at (202) 293-7330.

City of Lincoln EMS Call Volume Data FY 2000-05

Month Sills	Dorona	Domaining	Mrito	Callastian	Callagian	Amazint	Callagtable	Contractual	Amount	Total	Emergency:	
Product Prod	Percent Remaining	Remaining Accounts Rec	Write Offs	Collection % of Net	Collection % of Gross	Amount Collected	Collectable Amount	Contractual Reductions	Amount Billed	Total Bills	Month	
Page	0.00%	-	547,386	81.03%	67.27%	2,337,731	2,885,117	590,113	3,475,230	6,570	FY2000-01 Total	
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May												
June 887												
July												
August Prizono-44 rotal 870 466.677 97.543 369.134 236.486 50.46% 63.79% 1,924 131,724 131,724 131,724 131,724 131,724 131,724 131,724 131,724 131,724 131,724 131,724 39.865 789,822 72,004-05 58,824 77,920 39.89 19.30 30,83,71 18.44% 55.55% 2,42 175,213 175,213 175,213 175,213 175,213 175,213 175,213 175,213 175,213 18.44 176,214 1												
PY 2004-05 September 888												
September 898	18.71%	988,924	39,685	75.02%	58.44%	3,088,771	4,117,380	1,167,870	5,285,250	10,136	FY2003-04 Total	
December R43											FY 2004-05	
November 803 444,70 818,000 365,032 134,791 31,51% 37,97% 880 219,361												
December 803												
January 205	51.27% 62.02%											
February March April A												
March April May June July August Fy2004-05 Total 3,523 1,944,175 352,105 1,592,070 641,307 32,99% 40,28% 4,540 946,223 March May M	00.7070	,		0.1270	0.1070	.00	112,000	1,010		200		
May June July August F72004-05 Total 3,523 1,944,175 352,105 1,592,070 641,307 32,99% 40,28% 4,540 946,223											March	
Non-Emergency: Total Amount Contractual Collectable Amount Collection Collection Write Remaining Accounts Rec												
Non-Emergency: Total Amount Contractual Collectable Amount Collection Collection Collection Write Remaining Accounts Rec												
Non-Emergency: Total Amount Contractual Collectable Amount Collection Collection Collection Write Remaining Accounts Rec												
Non-Emergency: Non-												
Nonth Bills Bille Reductions Amount Collectable Amount Collection Collection Write Remaining	48.67%	946,223	4,540	40.28%	32.99%	641,307	1,592,070	352,105	1,944,175	3,523	FY2004-05 Total	
Nonth Bills Bille Reductions Amount Collectable Amount Collection Collection Write Remaining												
Month Bills Billed Reductions Amount Collected % of Gross % of Net Offs Accounts Rec	Percent	Domoining	Mrito	Collection	Collection	Amount	Collectable	Contractual	Amount	Total	Non-Emergency:	
FY2000-01 Total 1,633 750,531 279,174 471,357 383,802 51.14% 81.42% 87,555 - FY2001-02 Total 2,189 1,065,522 402,525 662,997 565,995 53.12% 85.37% 97,002 - FY 2002-03 September 140 56,319 16,747 39,572 36,110 64.12% 91.25% 3,462 - Cotober 199 85,725 28,758 56,967 47,540 55,46% 83,45% 9,427 - November 171 77,898 22,824 55,074 46,290 59,42% 84,05% 8,784 - December 200 81,937 24,932 57,005 51,231 62,52% 89,87% 5,774 - January 209 86,852 28,485 58,367 50,140 57,37% 85,59% 8,227 - February 167 63,981 20,286 43,695 37,396 58,45% 85,58% 62,99	Remaining										Month	
PY2001-02 Total 2,189	0.00%	710000111011100										
FY 2002-03 September 140 56,319 16,747 39,572 36,110 64,12% 91,25% 3,462 - October 199 85,725 28,758 56,967 47,540 55,46% 83,45% 9,427 - November 171 77,898 22,824 55,074 46,290 59,42% 84,05% 8,784 - December 200 81,937 24,932 57,005 51,231 62,52% 89,87% 5,774 - January 209 86,852 28,485 58,367 51,040 57,73% 85,90% 8,227 - February 167 63,981 20,286 43,695 37,396 58,45% 85,58% 6,299 - March 198 79,128 26,134 52,994 46,164 58,34% 87,11% 6,830 - April 145 59,819 13,373 46,446 35,782 59,82% 79,04% 10,664 - <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></t<>												
September 140 56,319 16,747 39,572 36,110 64,12% 91,25% 3,462 - October 199 85,725 28,758 56,967 47,540 55,46% 83,45% 9,427 - November 171 77,898 22,824 55,074 46,290 59,42% 84,05% 8,784 - December 200 81,937 24,932 57,005 51,231 62,52% 89,87% 5,774 - January 209 86,852 28,485 58,367 50,140 57,73% 85,90% 8,227 - February 167 63,981 20,286 43,695 37,396 58,45% 85,56% 6,299 - March 198 79,128 26,134 52,994 46,164 58,34% 87,11% 6,830 - April 145 59,819 13,373 46,446 35,782 59,82% 77,04% 10,664 - July	0.00%		97,002	85.37%	53.12%	565,995	662,997	402,525	1,065,522	2,189		
October 199 85,725 28,758 56,967 47,540 55,46% 83,45% 9,427 - November 171 77,898 22,824 55,074 46,290 59,42% 84,05% 8,784 - December 200 81,937 24,932 57,005 51,231 62,52% 89,87% 5,774 - January 209 86,852 28,485 58,367 50,140 57,73% 85,90% 8,227 - February 167 63,981 20,286 43,695 37,396 58,45% 85,58% 6,299 - April 145 59,819 13,373 46,446 35,782 59,82% 77,04% 10,664 - May 129 54,812 14,360 40,452 31,999 58,38% 79,10% 8,453 - June 131 57,300 17,297 40,003 36,847 64,31% 92,11% - 3,156 July <t< td=""><td>0.000/</td><td></td><td>0.400</td><td>04.050/</td><td>04.400/</td><td>00.440</td><td>00.570</td><td>40.747</td><td>E0.040</td><td>440</td><td></td></t<>	0.000/		0.400	04.050/	04.400/	00.440	00.570	40.747	E0.040	440		
November 171 77,898 22,824 55,074 46,290 59,42% 84,05% 8,784 - December 200 81,937 24,932 57,005 51,231 62,52% 89,87% 5,774 - January 209 86,852 28,485 58,367 50,140 57,73% 85,90% 8,227 - February 167 63,981 20,286 43,695 37,396 58,45% 85,58% 6,299 - March 198 79,128 26,134 52,994 46,164 58,34% 87,11% 6,830 - April 145 59,819 13,373 46,446 35,782 59,82% 77,04% 10,664 - May 129 54,812 14,360 40,452 31,999 58,38% 79,10% 8,453 - June 131 57,300 17,297 40,003 36,847 64,31% 92,11% - 3,156 Juny	0.00% 0.00%	-					/ -					
December 200 81,937 24,932 57,005 51,231 62,52% 89,87% 5,774 - January 209 86,852 28,485 58,367 50,140 57,73% 85,90% 8,227 - February 167 63,981 20,286 43,695 37,396 58,45% 85,56% 6,299 - March 198 79,128 26,134 52,994 46,164 58,34% 87,11% 6,830 - April 145 59,819 13,373 46,446 35,782 59,82% 77,04% 10,664 - June 131 57,300 17,297 40,003 36,847 64,31% 92,11% - 3,156 July 145 60,831 17,104 43,727 40,527 66,62% 92,68% 1,019 2,181 August 126 50,964 16,207 34,757 29,967 58,80% 86,22% 632 4,158 FY2003-04	0.00%											
January 209 86,852 28,485 58,367 50,140 57.73% 85,90% 8,227 - February 167 63,981 20,286 43,695 37,396 58.45% 85,58% 6,299 - March 198 79,128 26,134 52,994 46,164 58,34% 87,11% 6,830 - April 145 59,819 13,373 46,446 35,782 59,82% 77,04% 10,664 - May 129 54,812 14,360 40,452 31,999 58,387 79,10% 8,453 - June 131 57,300 17,297 40,003 36,847 64,31% 92,11% - 3,156 July 145 60,831 17,104 43,727 40,527 66,62% 92,68% 1,019 2,181 Ry202-03 Total 1,960 815,566 246,507 569,059 489,993 60,08% 86,12% 69,571 9,495 <td colsp<="" td=""><td>0.00%</td><td>-</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></td>	<td>0.00%</td> <td>-</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>	0.00%	-									
March 198 79,128 26,134 52,994 46,164 58,34% 87,11% 6,830 - April 145 59,819 13,373 46,446 35,782 59,82% 77,04% 10,664 - June 129 54,812 14,360 40,452 31,999 56,383 79,10% 8,453 - June 131 57,300 17,297 40,003 36,847 64,31% 92,11% - 3,156 July 145 60,831 17,104 43,727 40,527 66,62% 92,68% 1,019 2,181 August 126 50,964 16,207 34,757 29,967 58,80% 86,22% 632 4,158 FY 2003-04 58,262 19,253 39,109 35,635 61,06% 91,12% - 3,474 October 126 51,694 15,506 36,188 30,695 59,38% 84,82% 1,217 4,276 November 99	0.00%	-										
April 145 59,819 13,373 46,446 35,782 59,82% 77,04% 10,664 - May 129 54,812 14,360 40,452 31,999 58,38% 79,10% 8,453 - June 131 57,300 17,297 40,003 36,847 64,31% 92,11% - 3,156 July 145 60,831 17,104 43,727 40,527 66,62% 92,68% 1,019 2,181 August 126 50,964 16,207 34,757 29,967 58,80% 86,22% 632 4,158 FY202-03 Total 1,960 815,566 246,507 560,59 489,993 60.08% 86,11% 69,571 9,495 FY 203-04 58,362 19,253 39,109 35,635 61.06% 91,12% - 3,474 Cotober 126 51,694 15,506 36,188 30,695 59,38% 84,82% 1,217 4,276 November	0.00%	-										
May 129 54,812 14,360 40,452 31,999 58,38% 79,10% 8,453 - June 131 57,300 17,297 40,003 36,847 64,31% 92,11% - 3,156 July 145 60,831 17,104 43,727 40,527 66,62% 92,68% 1,019 2,181 August 126 50,964 16,207 34,757 29,967 58,80% 86,22% 632 4,158 FY2003-04 58,566 246,507 569,059 489,993 60,08% 86,11% 69,571 9,495 FY2003-04 58,362 19,253 39,109 35,635 61,06% 91,12% - 3,474 October 126 51,694 15,506 36,188 30,695 59,38% 84,82% 1,217 4,276 November 99 42,922 10,536 32,386 28,005 59,38% 84,82% 1,217 4,276 November 118	0.00% 0.00%											
June 131 57,300 17,297 40,003 36,847 64.31% 92.11% - 3,156 July 145 60,831 17,104 43,727 40,527 66.62% 92.68% 1,019 2,181 August 126 50,964 16,207 34,757 29,967 58.80% 86.22% 632 4,158 FY2003-04 FY 2003-04 September 139 58,362 19,253 39,109 35,635 61.06% 91.12% - 3,474 October 126 51,694 15,506 36,188 30,695 59,38% 84.82% 1,217 4,276 November 99 42,922 10,536 32,386 28,005 65,25% 86,47% 846 3,535 December 118 49,024 12,426 36,598 31,438 64,13% 85,90% 1,950 3,236 December 118 49,024 12,246 36,598 31,438 64,13% 8	0.00%	_										
August FY2002-03 Total 126 50,964 16,207 34,757 29,967 58.80% 86.22% 632 4,158 FY2003-04 FY 2003-04 1,960 815,566 246,507 569,059 489,993 60.08% 86.11% 69,571 9,495 FY 2003-04 September 3 58,362 19,253 39,109 35,635 61.06% 91.12% - 3,474 October 126 51,694 15,506 36,188 30,695 59,38% 84.82% 1,217 4,276 November 99 42,922 10,536 32,386 28,005 65,25% 86,47% 846 3,535 December 118 49,024 12,426 36,598 31,438 64,13% 85,90% 1,950 3,210 January 101 41,919 14,203 27,716 21,129 50,40% 76,23% 408 6,179 February 7 3,774 1,069 2,705 2,704 71,65% 99,96% - <	5.51%	3,156	-	00 440/	0.4.04.07	00.047	40.000	'	== 000			
FY2002-03 Total 1,960 815,566 246,507 569,059 489,993 60.08% 86.11% 69,571 9,495 FY 2003-04 September 139 58,362 19,253 39,109 35,635 61.06% 91.12% - 3,474 October 126 51,694 15,506 36,188 30,695 59.38% 84.82% 1,217 4,276 November 99 42,922 10,536 32,386 28,005 65,25% 86,47% 846 3,535 December 118 49,024 12,426 36,598 31,438 64,13% 85,90% 1,950 3,210 January 101 41,919 14,203 27,716 21,129 50,40% 76,23% 408 6,179 February 7 3,774 1,069 2,705 2,704 71,65% 99,96% - - March 6 2,126 162 1,964 1,615 75,96% 82,23% - 349 <	3.59%	2,181	1,019	92.68%	66.62%		43,727	17,104	60,831	145	July	
FY 2003-04 September 139 58,362 19,253 39,109 35,635 61,06% 91,12% - 3,474 October 126 51,694 15,506 36,188 30,695 59,38% 84,82% 1,217 4,276 November 99 42,922 10,536 32,386 28,005 65,25% 86,47% 846 3,535 December 118 49,024 12,426 36,598 31,438 64,13% 85,90% 1,950 3,210 January 101 41,919 14,203 27,716 21,129 50,40% 76,23% 408 6,179 February 7 3,774 1,069 2,705 2,704 71,65% 99,96% - - - March 6 2,126 162 1,964 1,615 75,96% 82,23% - 349 April 5 1,315 108 1,207 1,207 91,79% 100.00% - - -												
September 139 58,362 19,253 39,109 35,635 61.06% 91.12% - 3,474 October 126 51,694 15,506 36,188 30,695 59,38% 84,82% 1,217 4,276 November 99 42,922 10,536 32,386 28,005 65,25% 86,47% 846 3,535 December 118 49,024 12,426 36,598 31,438 64,13% 85,90% 1,950 3,210 January 101 41,919 14,203 27,716 21,129 50,40% 76,23% 408 6,179 February 7 3,774 1,069 2,705 2,704 71.65% 99,96% - - - March 6 2,126 162 1,964 1,615 75,96% 82,23% - 349 April 5 1,315 108 1,207 1,207 91,79% 100.00% - - -	1.16%	9,495	69,571	86.11%	60.08%	489,993	569,059	246,507	815,566	1,960		
October 126 51,694 15,506 36,188 30,695 59.38% 84.82% 1,217 4,276 November 99 42,922 10,536 32,386 28,005 65.25% 86.47% 846 3,535 December 118 49,024 12,426 36,598 31,438 64.13% 85,90% 1,950 3,210 January 101 41,919 14,203 27,716 21,129 50.40% 76.23% 408 6,179 February 7 3,774 1,069 2,705 2,704 71.65% 99.96% - - - March 6 2,126 162 1,964 1,615 75.96% 82.23% - 349 April 5 1,761 445 1,316 1,316 74.73% 100.00% - - May 5 1,315 108 1,207 1,207 91.79% 100.00% - - June -	E 050/	0.474		04.400/	64.060/	25.625	20.400	40.050	E0 000	420		
November 99 42,922 10,536 32,386 28,005 65,25% 86,47% 846 3,535 December 118 49,024 12,426 36,598 31,438 64,13% 85,90% 1,950 3,210 January 101 41,919 14,203 27,716 21,129 50,40% 76,23% 408 6,179 February 7 3,774 1,069 2,705 2,704 71,65% 99,96% - - March 6 2,126 162 1,964 1,615 75,96% 82,23% - 349 April 5 1,761 445 1,316 1,316 74,73% 100,00% - - - May 5 1,315 108 1,207 1,207 91,79% 100,00% - - - June - - - - - - - - - - - - - <td< td=""><td></td><td></td><td>1 217</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></td<>			1 217									
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January 101 41,919 14,203 27,716 21,129 50.40% 76.23% 408 6,179 February 7 3,774 1,069 2,705 2,704 71.65% 99.96% - - - March 6 2,126 162 1,964 1,615 75.96% 82.23% - 349 April 5 1,761 445 1,316 1,316 74.73% 100.00% - - - May 5 1,315 108 1,207 1,207 91.79% 100.00% - - - June -												
March 6 2,126 162 1,964 1,615 75.96% 82.23% - 349 April 5 1,761 445 1,316 1,316 74.73% 100.00% - - May 5 1,315 108 1,207 1,207 91.79% 100.00% - - - June -	14.74%			76.23%	50.40%	21,129	27,716	14,203	41,919	101	January	
April 5 1,761 445 1,316 1,316 74.73% 100.00% - - May 5 1,315 108 1,207 1,207 91.79% 100.00% - - June - - - - - - - - July - - - - - - -	0.00%		-									
May 5 1,315 108 1,207 1,207 91.79% 100.00% June July		349	•									
June - - - - - - - - July - - - - - - - -	0.00% 0.00%	-										
July	0.0070	_			30,0			-		-		
August		-	-					-		-	July	
			-			-	-	-	-	-	August	
FY2003-04 Total 606 252,897 73,708 179,189 153,744 60.79% 85.80% 4,421 21,023	8.31%	21,023	4,421	85.80%	60.79%	153,744	179,189	73,708	252,897	606	FY2003-04 Total	

Total	Total	Amount	Contractual	Collectable	Amount	Collection	Collection	Write	Remaining	Percent
Month	Bills	Billed	Reductions	Amount	Collected	% of Gross	% of Net	Offs	Accounts Rec	Remaining
FY2000-01 Total	8,203	4,225,761	869,287	3,356,474	2,721,533	64.40%	81.08%	634,941	-	0.00%
FY2001-02 Total	12,047	6,245,356	1,370,085	4,875,271	3,976,830	63.68%	81.57%	898,441	-	0.00%
FY 2002-03										
September	978	481,124	100,023	381,101	312,908	65.04%	82.11%	68,193	-	0.00%
October	1,043	511,654	108,734	402,920	325,599	63.64%	80.81%	77,321	-	0.00%
November	993	506,824	109,650	397,174	323,119	63.75%	81.35%	74,055	-	0.00%
December	1,030	510,768	110,317	400,451	340,686	66.70%	85.08%	59,765	-	0.00%
January	998	494,122	120,598	373,524	314,403	63.63%	84.17%	59,121	-	0.00%
February	964	478,136	108,718	369,418	309,966	64.83%	83.91%	59,452	-	0.00%
March	1,046	509,294	118,707	390,587	321,827	63.19%	82.40%	68,760	-	0.00%
April	996	491,637	99,169	392,468	309,457	62.94%	78.85%	83,011	-	0.00%
May	1,011	498,197	101,725	396,472	308,553	61.93%	77.82%	87,919	-	0.00%
June	912	442,896	94,794	348,102	277,707	62.70%	79.78%	3,135	67,260	15.19%
July	967	477,919	104,064	373,855	287,168	60.09%	76.81%	6,207	80,480	16.84%
August	1,036	519,928	114,508	405,420	327,327	62.96%	80.74%	4,041	74,052	14.24%
FY2002-03 Total	11,974	5,922,499	1,291,007	4,631,492	3,758,720	63.47%	81.16%	650,980	221,792	3.74%
FY 2003-04										
September	931	457,552	102,471	355,081	291,831	63.78%	82.19%	4,581	58,669	12.82%
October	1,024	504,658	108,452	396,206	321,270	63.66%	81.09%	4,153	70,783	14.03%
November	959	479,119	101,832	377,287	298,376	62.28%	79.08%	5,358	73,553	15.35%
December	1,054	523,125	117,294	405,831	323,769	61.89%	79.78%	7,690	74,372	14.22%
January	974	497,749	122,149	375,600	290,113	58.28%	77.24%	6,426	79,061	15.88%
February	839	443,450	112,605	330,845	257,937	58.17%	77.96%	3,654	69,254	15.62%
March	722	388,592	94,189	294,403	233,092	59.98%	79.17%	3,317	57,994	14.92%
April	761	400,236	94,418	305,818	230,279	57.54%	75.30%	1,663	73,876	18.46%
May	852	443,873	95,311	348,562	249,590	56.23%	71.61%	918	98,054	22.09%
June	857	455,555	100,371	355,184	252,086	55.34%	70.97%	2,096	101,002	22.17%
July	899	477,561	94,943	382,618	258,686	54.17%	67.61%	2,326	121,606	25.46%
August	870	466,677	97,543	369,134	235,486	50.46%	63.79%	1,924	131,724	28.23%
FY2003-04 Total	10,742	5,538,147	1,241,578	4,296,569	3,242,515	58.55%	75.47%	44,106	1,009,948	18.24%
FY 2004-05										
September	898	497,799	98,408	399,391	221,766	44.55%	55.53%	2,412	175,213	35.20%
October	843	457,583	94,584	362,999	197,307	43.12%	54.35%	1,248	164,444	35.94%
November	774	427,822	72,790	355,032	134,791	31.51%	37.97%	880	219,361	51.27%
December	803	444,370	81,808	362,562	86,974	19.57%	23.99%	-	275,588	62.02%
January	205	116,601	4,515	112,086	469	0.40%	0.42%	-	111,617	95.73%
February	-	-	-	-	-			-	-	
March	-									
April	-									
May	-									
June	-									
July	-									
August	-									
FY2004-05 Total	3,523	1,944,175	352,105	1,592,070	641,307	32.99%	40.28%	4,540	946,223	48.67%

Note: The Amount collected for the first twenty months (1-1-2001 to 8-31-2002) does not reflect a reduction of the \$100,000 refunded to Medicare as result of the compliance audit. If that amount were included, the net collections will approximate 63.5% for the first twenty months.

Emergency:

	Total Month	Total Month	Net Receipts	Cumulative	Cumulative	Cumulative
Month	Receipts	Expenditures	(Expenditures)	Receipts	Expenditures	Net
FY 2003-04 E	Balance Forwar	d		11,333,698	11,862,645	(528,947)
September	257,880	334,429	(76,549)	11,591,578	12,197,074	(605,496)
October	340,384	236,532	103,852	11,931,962	12,433,606	(501,644)
November	285,137	243,108	42,029	12,217,099	12,676,714	(459,615)
December	271,751	333,645	(61,894)	12,488,850	13,010,359	(521,509)
January	306,445	427,617	(121,172)	12,795,295	13,437,976	(642,681)
February			-			
March			-			
April			-			
May			-			
June			-			
July			-			
August			-			

Non-Emergency:

=						
	Total	Total	Net Receipts	Cumulative	Cumulative	Cumulative
Month	Receipts	Expenditures	(Expenditures)	Receipts	Expenditures	Net
FY 2003-04 E	Balance Forward	d		1,490,522	1,991,639	(501,117)
September	2,366	408	1,958	1,492,888	1,992,047	(499,159)
October	1,059	184	875	1,493,947	1,992,231	(498,284)
November	1,555	114	1,441	1,495,502	1,992,345	(496,843)
December	1,883	137	1,746	1,497,385	1,992,482	(495,097)
January	328	154	174	1,497,713	1,992,636	(494,923)
February			-			
March			-			
April			-			
May			-			
June			-			
July			-			
August			-			

Total

	Total	Total	Net Receipts	Cumulative	Cumulative	Cumulative
Month	Receipts	Expenditures	(Expenditures)	Receipts	Expenditures	Net
FY 2003-04 E	Balance Forward	d		12,824,220	13,854,284	(1,030,064)
September	260,246	334,837	(74,591)	13,084,466	14,189,121	(1,104,655)
October	341,443	236,716	104,727	13,425,909	14,425,837	(999,928)
November	286,692	243,222	43,470	13,712,601	14,669,059	(956,458)
December	273,634	333,782	(60,148)	13,986,235	15,002,841	(1,016,606)
January	306,773	427,771	(120,998)	14,293,008	15,430,612	(1,137,604)
February	-	-	-	-	-	-
March	-	-	-	-	-	-
April	-	-	-	-	-	-
May	-	-	-	-	-	-
June	-	-	-	-	-	-
July	-	-	-	-	-	-
August	-	-	-	-	-	-

SOURCE: Finance Department General Ledger

NOTE: NOTE: Amount Pending in JDE: \$0

Amount Received in Lock Box not posted: \$0

RESOLUT	TON NO. A	
BE IT HEREBY RESOLVED B	BY THE CITY COUNCIL of the City	of
Lincoln, Nebraska:		
That the attached list of investmen	nts be confirmed and approved, and the	City
Treasurer is hereby directed to hol	ld said investments until maturity unles	SS .
otherwise directed by the City Cou	uncil.	
INTRODUCED BY:		
Approved: Don Herz, Finance Director		
	Approved this day of	***

FINANCE DEPARTMENT TREASURER OF LINCOLN, NEBRASKA INVESTMENTS PURCHASED FEBRUARY 7 thru FEBRUARY 18, 2005

February 7, 2005, we cashed a \$197,000 First American Government Obligation Fund at US Bank out of the Short Term Fund. We then invested \$205,000 as follows:

	\$200,000	Repurchase Agreement at Wells Fargo Bank
ľ	\$5,000	Nebraska Public Agency Investment Trust at Union Bank

February 8, 2005, we used new funds to invest \$412,000 in the Short Term Pool as follows:

\$50,000	Repurchase Agreement at Wells Fargo Bank
\$40,000	Nebraska Public Agency Investment Trust at Union Bank
\$322,000	First American Government Obligation Fund at US Bank

We cashed \$117,000 out of the Short Term Pool February 9, 2005, and invested \$240,000 as follows:

\$90,000	Nebraska Public Agency Investment Trust at Union Bank
\$150,000	Repurchase Agreement at Wells Fargo Bank

An investment of \$3,000,000 matured February 10, 2005, and we immediately cashed and invested \$3,653,000 in the Short Term Pool as follows:

\$3,150,000	Repurchase Agreement at Wells Fargo Bank
\$503,000	First American Government Obligation Fund at US Bank

February 11, 2005, we cashed a \$85,000 First American Government Obligation Fund at US Bank out of the Short Term Pool. We then invested \$420,000 as follows:

\$320,000	Repurchase Agreement at Wells Fargo Bank
\$100,000	Nebraska Public Agency Investment Trust at Union Bank

February 14, 2005, we cashed a \$945,000 Repurchase Agreement at Wells Fargo Bank out of the Short Term Pool. We then invested in a \$58,000 First American Government Obligation Fund at US Bank.

Using new funds, we invested \$3,043,000 in the Short Term Pool February 15, 2005, as follows:

\$2,825,000	Repurchase Agreement at Wells Fargo Bank
\$218,000	First American Government Obligation Fund at US Bank

February 16, 2005, we cashed a total of \$5,646,000 out of the Short Term Pool. We then reinvested \$5,025,000 as follows:

\$5,000,000	CD, purchased at par, rate of 2.58%, maturing April 14, 2005
\$25,000	Nebraska Public Agency Investment Trust at Union Bank

February 17, 2005, we cashed a \$150,000 Repurchase Agreement at Wells Fargo Bank out of the Short Term Pool. We then invested in a \$86,000 First American Government Obligation Fund at US Bank.

February 18, 2005, we cashed a \$600,000 Repurchase Agreement at Wells Fargo Bank out of the Short Term Pool. We then invested in a \$653,000 First American Government Obligation Fund at US Bank.

We respectfully request approval of our	actions.
Don Herz, Finance Director	Melinda J. Jones, City Treasurer

WS	WS	WS	WS	WS	SE	SE	SH	SE	E E	SE	SE	SE	S m	SE	SE	SE	SE	I I	SE	R	m	Z	ZE	Z	Z	Z	QUAD
2255	2248	2134	2040	1417S	624 S	2844	2836	2764	2759	2709	2709	2938 S	4225S	3965 S	3910 S	3860 S	3510 S	3440 S	3413S	4844	3294	5461	3130 N	2427 N	2234 N	2121 N	QUAD ADDRESS DIR
SEWELL	RYONS	PARK	PARK	21	COTNER	ARLINGTON MAPLE	48	40	40	40	40	40	40	40	ST PAUL	HITCHCOCK ASH	FRANCIS	56	56	56	56						
ASH	MAPLE	PEAR	PEAR	ASH	ASH	MAPLE	MAPLE	MAPLE	MAPLE	MAPLE	MAPLE	ASH	ASH	MAPLE	ASH	MAPLE	MAPLE	ASH	MAPLE	ASH	<a>ASH	MAPLE	MAPLE	MAPLE	PEAR	MAPLE	SPECIES
PATMORE	FLAME AMUR	CHANTICLEER	CHANTICLEER	CIMMARON	AUTUMN PURPLE	FLAME AMUR	AUT BLAZE	AUT BLAZE	AUT BLAZE	FLAME AMUR	FLAME AMUR	AUTUMN PURPLE 7' BOW	AUTUMN PURPLE	FLAME AMUR	AUTUMN PURPLE	FLAME AMUR	FLAME AMUR	AUTUMN PURPLE	FLAME AMUR	PATMORE	PATMORE	RED SUNSET	RED SUNSET	FLAME AMUR	CHANTICLEER	RED SUNSET	2/2/2/2/2
4' BOW	10' BOW	5' BOW	10' BOW	5' BOW	∃ 3′ BOW	11' BOW	11' BOW	5' BOW	5' BOW	5' BOW	5' BOW	: 7' BOW	12' BOW	25' BOW	: 15' BOW	25' BOW	8' BOW	5' BOW	5' BOW	5' BOW	6' BOW	8' BOW	22' BOC	8' BOW	8' BOW	8' BOW	вос
	13 1/2' BETWEEN CURB & WALK	24' BETWEEN CURB & WALK	13 1/2' BETWEEN CURB & WALK	13 1/2' BETWEEN CURB & WALK	16 1/2' BETWEEN CURB & WALK	13 1/2' BETWEEN CURB & WALK	1 POWER LINES	1 STREET CONST/POWER LINES	1STREET CONST/POWER LINES	1 STREET CONST/POWER LINES	1 STREET CONST/POWER LINES	1STREET CONST	1 STREET CONST/POWER LINES	1 STREET CONST/POWER LINES	13 1/2' BETWEEN CURB & WALK	13 1/2' BETWEEN CURB & WALK	1 STREET CONST/POWER LINES	1 STREET CONST/OVERHEAD WIRES	# REASON								
LK PLANTED 4/30/04	PLANTED 4/28/04	PLANTED 4/27/04	PLANTED 4/27/04	PLANTED 4/20/04	PLANTED 5/24/01	PLANTED 11/16/04	MAY 03	PLANTED 5/7/02	PLANTED 5/7/02	PLANTED 5/7/02	PLANTED 5/20/02	PLANTED 5/7/02	PLANTED 5/7/02	PLANTED 5/7/02	PLANTED 4/27/01	PLANTED 4/13/04	PLANTED 5/20/02	PLANTED									

MEMORANDUM

DATE: February 22, 2005

TO: City Council

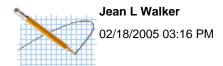
COPY TO: Mayor's Office

FROM: Don Taute, Personnel Director

SUBJECT: Bill # 05-10

Bill Number 05-10 had public hearing on February 7th, 2005 and on February 14th, 2005 Council placed the matter on pending to have action only on February 28th, 2005, so that the Council could receive further information in writing regarding how other classes of employees are treated regarding vacation when compared to "M" employees.

As Council was informed during public hearing on Bill Number 05-10, the previous Code section found at 2.76.395 provided that vacation leave would not be granted during the first six months of employment with the exception of employees in pay ranges pre-fixed by "M". All other employees, either by Code or through bargaining agreements, are allowed to earn vacation during the probationary period but cannot take vacation during that period. The removal of the exception for the "M" class employees was to be included in the newly adopted and amended section 2.78.020 of the Lincoln Municipal Code regarding the management compensation plan, so that it was consistent with the prior language found at 2.76.395. However, that exception for "M" employees was not included in section 2.78.020 through an oversight. The exception had been provided previously in 2.76.395 for the reason that during recruitment for "M" class positions we have found that it is very valuable as a part of the recruitment process to tell prospective employees that their vacation, while being earned, can also be utilized during the probationary period. This is due to the fact that many employees who apply for "M" class positions are coming from previously held positions which had allowed them to accumulate a significant amount of vacation and to require them to not utilize vacation for a period of six months upon being hired by the City of Lincoln was determined to be a detriment. In short, the proposal outlined in Bill Number 05-10 is merely clean up language and would allow for the use of vacation during probation by "M" class employees as it had been allowed previously in section 2.76.395 of the Lincoln Municipal Code.



To: bassetthome@hotmail.com, brian_rundquist@hotmail.com, debbie.swanson@megroup.com, garyjawalt@msn.com, inselman@unlnotes.unl.edu, jcrose@neb.rr.com, knuttelman@dor.state.ne.us, lsilberman1@unl.edu, mv60729@alltel.net, poongaga@email.com, sb13235@navix.net, tgoeller@neb.rr.com, tmcarlson66@yahoo.com

cc: Marvin S Krout/Notes@Notes, Ray F Hill/Notes@Notes, Rebecca D Horner/Notes@Notes, thuston@clinewilliams.com, drademacher@oaconsulting.com, Randy W Hoskins/Notes@Notes, Dennis D Bartels/Notes@Notes, Ann Harrell/Notes@Notes

Subject: CZ.05005 and UP.05001, Wal-Mart proposal, SE corner, 84th & Adams

February 18, 2005

Dear Interested Parties:

Our records indicate that you have expressed an interest in the Wal-Mart proposal on the southeast corner of 84th & Adams Streets. Please be advised that the public hearing on this application has been postponed pending the completion and submittal of a traffic study by the applicant. You will be advised when the public hearing before the Planning Commission is scheduled.

Thank you for your interest.

cc: Planning Commission City Council Mayor Coleen J. Seng

--Jean Walker, Administrative Officer City-County Planning Department 441-6365



CITY OF LINCOLN N E B R A S K A

MAYOR COLEEN J. SENG

Engineering Services
Public Works and Utilities Department
Allan Abbott, Director
531 Westgate Blvd.
Suite 100
Lincoln, Nebraska 68528
402-441-7711
fax: 402-441-6576

February 18, 2005

FEB 2 3 2005

CATY COUNCIL OFFICE

Marvin Krout Lincoln-Lancaster Planning Department 555 South 10th Street Lincoln, Nebraska 68510

RE: Transportation Amendments for the US-77 Highway Improvements: Lincoln West Beltway

This is a request to amendment to the City of Lincoln and Lancaster County Comprehensive Plan to include the Nebraska Department of Roads proposal to upgrade the existing US-77 Corridor to freeway standards from Interstate 80 south to the planned South Beltway as amended by the MPO Officials Committee.

Background

The Nebraska Department of Roads submitted a proposal to amend the Mobility & Transportation section of the *Lincoln-Lancaster County Comprehensive Plan* to show the segment of US-77 Highway from Interstate 80 south to the planned South Beltway as a freeway design which will complete the Lincoln West Beltway concept. This proposed amendment to the Lincoln-Lancaster Long-Range Plan is as follows:

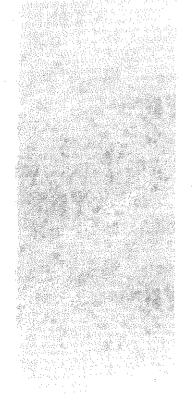
- Upgrade the West Beltway from an expressway to a freeway, beginning at Interstate 80 and ending at the South Beltway.
- Construct a new interchange at Pioneers Blvd.
- Construct a new interchange at Warlick Blvd.
- Closure of access to US-77 at Rokeby Road, Yankee Hill Road, and Old Cheney Road with a review of the closures at the time of project development phase.

The State's proposal was approved by the Lincoln-Lancaster Planning Commission on August 18, 2004 and forwarded to the Lincoln City Council and Lancaster County Board. The US-77 Highway amendment was introduced at the City Council on September 13, 2004 and the County Board on September 14, 2004. The City Council amended the Lincoln Plan and included a statement to this amendment (attached). The County Board kept the public hearing open on the this amendment through December 7, 2004 and subsequently denied the State request to amend.

The result is two Transportation Plans, the City's with the US-77 Highway amendment and the County's without a US-77 Highway amendment.

MPO Officials Committee Role

The City of Lincoln is the federally recognized Metropolitan Planning Organization (MPO) for the Lincoln Metropolitan Area serving Lincoln and Lancaster County to carry out transportation planning and decision-making for the Lincoln urbanized





area and Lancaster County. The Lincoln MPO is a policy-making body consisting of representatives from local government and transportation authorities that review transportation issues and develop transportation plans and programs for the metropolitan area. The MPO organization is a forum for cooperative decision making and provides for the involvement of principal elected officials of local government. Representatives often come to the table with different, and sometimes conflicting perspectives but work together to establish local and regional priorities for the transportation improvements that are eligible for state and federal funding.

The City of Lincoln fulfils the role as the MPO and is responsible for conducting the urban transportation planning process pursuant to federal transportation requirements. The primary participant groups in the MPO decision-making process include the Officials Committee, Technical Advisory Committee, Lincoln-Lancaster Planning Commission, Citizen Task Forces and Advisory Committees, and the MPO staff. Each group plays a specific role in the process.

The Lincoln MPO Officials Committee is the primary decision making body with membership consisting of elected officials which represent the City of Lincoln, Lancaster County and the State of Nebraska. The five voting members which include the 1) Mayor of the City of Lincoln, 2) Chairperson of the Lincoln City Council, 3) Chairperson of the Lancaster County Board of Commissioners, 4) Vice-chair of the Lancaster County Board of Commissioners, and 5) the representative of the State of Nebraska (Director to the Department of Roads).

The voting members review and act upon transportation related programs and studies recommended by of the city, county and state. Reviews of the Officials Committee are for compliance with the established planning process and the policies of each general purpose government or agency which they represent.

MPO Officials Committee Amendment

At the MPO Officials Committee meeting of January 21, 2005, the US-77 Highway amendment was reviewed and the Metropolitan Transportation Plan was amended by unanimous vote. The Officials Committee amendment included the US-77 Highway amendment as proposed by Nebraska Department of Roads with the following statement to be added on Page F111 and to the list of proposed Studies in the Transportation Plan:

- As part of the US-77/West Beltway project, study for a potential overpass at US-77 and Old Cheney Road, Yankee Hill Road and Rokeby Road.
- The study is to be a joint State/County/City feasibility study, including a traffic analysis, a citizen participation element, an appropriate environmental review, and will be started no later than one year prior to the contract letting of the West Bypass freeway upgrade. The study will comply with FHWA procedures for Federal Aid projects and will attempt to maintain an Old Cheney connection for 1st Street.

The current MPO Officials Committee voting members include Mayor Seng, Terry Werner, Larry Hudkins, Deb Schorr, and Monty Fredrickson (NDOR).

Transportation Amendment for US-77: Lincoln West Bypass February 18, 2005
Page 3

Request to Amend

The request by the Lincoln MPO Official Committee is to amendment both the City of Lincoln and Lancaster County Comprehensive Plans to include the proposal by Nebraska Department of Roads to upgrade the existing US-77 Corridor to freeway standards from Interstate 80 south to the planned South Beltway and to include the MPO Officials Committee statement in this amendment. By accepting the MPO Official Committee amendment, both the City and County transportation plans would be in agreement.

Sincerely,

Michael Brienzo

Transportation Planning

Attachments (1)

cc: MPO Officials Committee, MPO Technical Committee
Ann Harrell, Roger Figard, Randy Hoskins, Virendra Singh, Lincoln Public Works & Utilities

(F:\FILES\SIEMDB\LRTP Amendments\US-77 Amendment\Officials Committee Request.opd

MOTION TO AMEND NO. 1

I hereby move to amend Bill No. 04R-228 in the following manner:

1. On page 3, after line 29, insert the following:

BE IT FURTHER RESOLVED, that this Comp. Plan Amendment shall in no way preclude future consideration of an overpass for Old Cheney Road over US-77 (West By-Pass), should future needs of the City of Lincoln and the County of Lancaster so justify. This Amendment shall also not absolve any government entity of its responsibility to participate in the funding of such Old Cheney overpass should one be constructed.

Introduced by:

AYES: Camp, Cook, Friendi,

McRoy, Newman, Svoboda:

NAYS: Wemer

Approved as to Form & Legality:

City Attorney

Requested by: Jon Camp

Reason for Request: To clarify future consideration of an overpass for Old Cheney over Highway 77.

ADOPTED

OCT 11 2004
BY CITY COUNCIL



PUBLIC WORKS AND UTILITIES DEPARTMENT

MEMORANDUM

Date: February 23, 2005

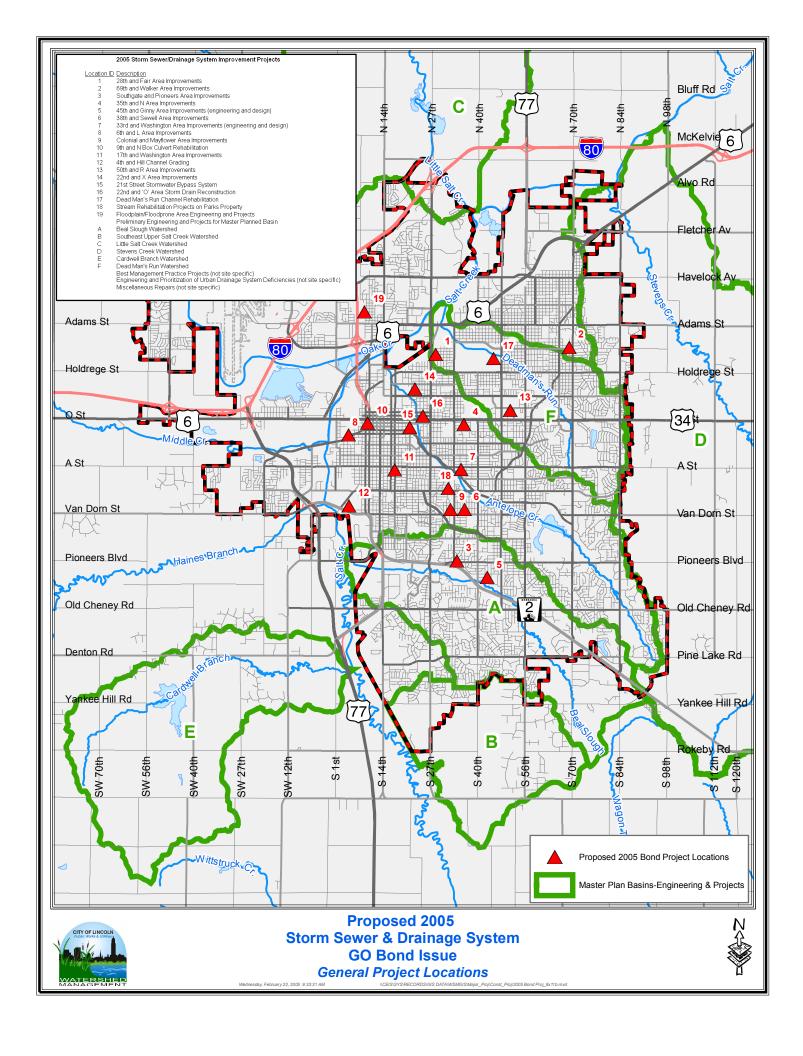
To: City Council Members

From: Nicole Fleck-Tooze

Subject: Item No. 4, 05-19 on City Council Agenda

cc:

Attached please find the map indicating the proposed 2005 Storm Sewer & Drainage System projects in connection with Item No. 4 on the City Council Agenda.



MEMORANDUM

DATE: February 15, 2005

FROM: Jon Camp,

Lincoln City Council

TO: Don Herz,

Finance Director

RE: RFI / Storm Sewer Bond Issue Project Expenses

Please provide the estimated expense for each of the proposed projects to be included in the storm sewer and drainage system improvement bond issue being requested for the May, 2005 general election.

Thank you.

CITY OF LINCOLN PROPOSED STORM SEWER AND DRAINAGE SYSTEM IMPROVEMENT PROJECTS FOR BOND ISSUE, MAY 2005 - Cost Estimates as of 2/23/05

28th and Fair Area Improvements 69th and Walker Area Improvements Southgate and Pioneers Area Improvements 35th and N Area Improvements 45th and Ginny Area Improvements (engineering and design) 38th and Sewell Area Improvements 33rd and Washington Area Improvements (engineering and design) 6th and L Area Improvements Colonial and Mayflower Area Improvements 9th and N Box Culvert Rehabilitation 17th and Washington Area Improvements 4th and Hill Channel Grading 50th and R Area Improvements 22nd and X Area Improvements 21st Street Stormwater Bypass System 22nd and 'O' Area Storm Drain Reconstruction Dead Man's Run Channel Rehabilitation Stream Rehabilitation Projects on Parks Property Best Management Practice Projects Floodplain/Floodprone Area Engineering and Projects	\$600,000 \$290,000 \$350,000 \$230,000 \$150,000 \$150,000 \$10,000 \$130,000 \$290,000 \$230,000 \$30,000 \$790,000 \$200,000 \$90,000 \$420,000 \$720,000 \$250,000
Stream Rehabilitation Projects on Parks Property	\$720,000



To: jray@ci.lincoln.ne.us (City Council)

CC:

Subject: Fwd: Eminent Domain Process

--

Jon Camp Lincoln City Council City Council Office: 441-8793

Constituent representative: Darrell Podany

----- Message from <rsimon@alltel.net> on Fri, 18 Feb 2005 11:52:20 -0600 -----

To: <jcamp@ci.lincoln.ne.u

s>

Subject Eminent Domain

: Process

Mr. Camp,

I don't know if you remember me, but we have met several times. I am the former owner of Ben Simon's. I am writing as a small business person and a lifelong Lincoln resident concerning the use of eminent domain for John Hammond to build a hotel at the 17th & R location.

I think it is an anti free market policy to have the city use its eminent domain power to obtain the parcel of land for the hotel. Mr. Hammond and his company have the freedom and opportunity to buy the properties by dealing directly with the owners. This is the way property transactions work and he should not have a special right to obtain it through the power of the city. My understanding is that he never attempted to negotiate with the owners. I question what the "overiding common good" of this project is that makes it a candidate for even consideration for eminent domain. If raising sales taxes are the consideration, than we should evaluate all property transactions on that basis.

Personally, I think government should use eminent domain only in the need for public buildings and not for private development. We are setting a dangerous precedent when a devloper sets an agenda and insists on eminent domain power to be used to gather a parcel of land. That is what the free market is for. Thanks for your consideration.

Rob Simon

2402 D St. Lincon, Ne. 68502



${\bf JonCampCC@aol.com}$

02/19/2005 02:31 PM

To: jray@ci.lincoln.ne.us

cc:

Subject: Fwd: 24 Hour Lighting on the Livingston Property

Joan

Please share with Council colleagues.

Jon

--

Jon Camp

Office: 402-474-1838 Home: 402-489-1001 Cell: 402-560-1001 Email: JonCampCC@aol.com

----- Message from "Hornyak, John" <john.hornyak@pfizer.com> on Fri, 18 Feb 2005 17:38:03 -0500 -----

To: "JonCampCC@aol.com (JonCampCC@aol.com)" <JonCampCC@aol.com>

Subject 24 Hour Lighting on the Livingston Property

:

Jon,

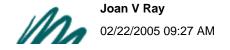
I just want to say thank you to you and the rest of Council for up holding the restricted lighting agreement we (Country Meadows) had with the developers.

Thanks

John

o ka

attvxv6w.dat



To:

cc: <JRay@ci.lincoln.ne.us>

Subject: Re: Fw: Note on Walmart, 84th/Adams

"Patte Newman" < newman2003@neb.rr.com>



"Patte Newman" <newman2003@neb.rr.

To: <JRay@ci.lincoln.ne.us>

com>

Subject: Fw: Note on Walmart, 84th/Adams

02/21/2005 09:48 AM

If not copied to the council - please pass on. Thanks Joan.

---- Original Message ----- From: Paul Marxhausen

To: pnewman@ci.lincoln.ne.us

Sent: Monday, February 21, 2005 9:22 AM **Subject:** Note on Walmart, 84th/Adams

This note has to do with the proposal to site a Walmart supercenter on the southeast corner of Adams and 84th street. I'm sure there's

plenty of issues involved so I'll be brief and touch on only one or two.

When Faith Lutheran Church and School was pondering whether to acquire the property where our day care, school, and other ministries now

operate, we did NOT assume we would remain for even a short time "out in the country". It was known from the very beginning that we

would very quickly be surrounded by residential housing and that industrial and commercial operations would soon appear both along the

east side of 84th street and/or along the north side of Adams, east of 84th. We expect to be engaged in our community with our day

care, our school, the parking we provide for commuters, and athletic facilities to be developed in the near future.

What was not expected is that the "800-pound gorilla of retail merchandising", a Walmart Supercenter, would try to squeeze into a too-small parcel next to us. We already have

concerns with existing traffic problems at the intersection of 84th and Adams, not the least of which is too-fast southbound truck traffic

running the lights. Consider the traffic impact on families bringing children to and from our facility, mixing with a steady stream of

tractor trailers servicing the Supercenter. Consider the unstoppable overflow of customers utilizing our limited parking.

High on my own list of worries: having seen the 24-hour/7-day activity that surrounds our existing Walmarts in Lincoln, I question how we

can guarantee the security of our facilities. The year has not passed where our Lincoln schools have not

experienced vandalism and

the theft of attractive assets like computers. I do not imagine that Walmarts' funds to ameliorate community impact include paying

for 24 hour security personnel at our facility in perpetuity.

I do see where the site in question has excellent visibility to the community and I have to assume that explains Walmart's keen interest

despite the many other deficiencies. But the commercial advantage to Walmart should not be permitted to militate against both the

safety of the general public and the service our ministries attempt to extend to the Lincoln community. I encourage you to urge

Walmart to avail themselves of the other excellent parcels immediately to the north where all these issues are significantly reduced.

Paul Marxhausen 6211 Glendale Road Lincoln, NE 68505

No virus found in this incoming message.

Checked by AVG Anti-Virus.

Version: 7.0.300 / Virus Database: 266.2.0 - Release Date: 2/21/2005



To: <JRay@ci.lincoln.ne.us>

CC:

Subject: Fw: Wal Mart at 84th & Adams

02/23/2005 10:51 AM

For the Council....

---- Original Message ----

From: "Todd Wicken" <twicken@dor.state.ne.us>

To: <pnewman@ci.lincoln.ne.us>

Sent: Wednesday, February 23, 2005 10:40 AM

Subject: Wal Mart at 84th & Adams

This was in the Journal Star, Saturday, Feb. 19

Prices to pay for supercenters BY DOUG CUNNINGHAM

Hometown Merchants Association is a membership organization whose mission is to provide

assistance to independent businesses to help them remain strong and vital in their community.

One of the organization's main focuses is to research the effects of megabox stores on the

community and the area in which they locate and to educate public officials and consumers on

the findings.

I am writing this letter because of my concern for the future of our communities and our state,

due to the rapid expansion plans of Wal-Mart to build new supercenters across Nebraska,

including another in Lincoln.

It is the erroneous opinion of many that a supercenter will always bring additional sales tax

revenue to a community. Research clearly shows that assumption is questionable. Our research

indicates that in the majority of communities the pre-supercenter sales tax revenue growth

would have outpaced current sales tax revenue collections had a

supercenter not been located in the community.

Supercenters promote themselves as a retailer that will increase local sales tax revenue and

create new jobs. It has been widely stated that for every two new jobs created in a

supercenter, the community will lose three jobs. A study done in San Diego County, Calif., in

2000, states that for every half-time job created, the community will lose 1% full-time jobs

that would have paid a higher wage. The study also goes on to say that the San Diego area could

incur up to \$9\$ million in extra public health costs, because fewer people will be covered by

health insurance.

A survey done by the Atlanta Journal newspaper in Georgia showed that ${\bf 1}$ out of every ${\bf 4}$

employees in Wal-Mart in that state had a child enrolled in the state's free insurance for

low-income people. The next highest business's ratio was 1 out of 22 employees having children

on the free insurance.

Wal-Mart claims to sell cheap. However, I would contend that we as taxpayers are subsidizing

them through higher taxes. These same findings are arising in several states.

As part of our research we conducted a price comparison between the $11\ \text{Wal-Mart}$ supercenters in

Nebraska. We physically bought the identical grocery order at the highest- and the $\ensuremath{\mathsf{I}}$

lowest-priced supercenters in our comparison.

In other states it has been found that when competition has been eliminated, the price of

product in the supercenter increases drastically. This price comparison attempts to illustrate

that supercenter pricing in Nebraska depends upon the amount of competition left in the area.

Our price comparisons indicate that when competition no longer exists, the price of goods

increases.

The comparison showed that in Nebraska we see a disparity of 17 percent between the highest-

and the lowest-priced supercenters. As competition is eliminated the cost of goods will go up.

To give some insight into Wal-Mart's ability to accomplish its goals you need only recognize

how large this company is. In a BuinessWeek article dated Oct. 6, 2003, a statement is made

that Wal-Mart is three times larger than the world's No. 2 retailer. Another study suggests

that if the volume of business Wal-Mart does in a year were compared to economies of the world,

the company would be the 13th-largest economy.

Wal-Mart has the resources to lower prices until competitors go out of business, then increase

prices to what the market will bear. This has been shown to be the case across the country.

It appears that charitable giving declines in communities where supercenters locate. It has

been shown that as time passes and businesses close, money becomes tighter and the nonprofits,

whose sole means of operation depends on the good will of others, begin to struggle

financially.

In other areas of the country, Wal-Mart has driven out competition, and after a few years

Wal-Mart has closed stores to build larger, more centrally located stores in neighboring

communities, forcing consumers to drive out of town for most retail goods. As competition is

eliminated, consumers are left with fewer choices, because Wal-Mart doesn't stock the variety

other businesses do. An example of this is a bookstore carrying thousands of titles. When the

locally owned bookstore is forced to close, we are left with a Wal-Mart that carries around 800 titles.

I am fully aware that many consumers are thrilled with the prospects of a megastore locating in

their community. It is our position that consumers should be educated in regard to the

long-term impact this type of business will have.

Consumers are only looking at today. It is our job as policy-makers to look deeper; to dig

below the surface and ask the tough questions in regard to what our communities will look like

5, 10 or 20 years in the future, if these trends continue.

I would respectfully ask that an economic feasibility study be done to determine the true $\ensuremath{\mathsf{E}}$

consequences of these types of stores locating in your city. We must remember that the

decisions we make today will affect our cities, states and country well into the future.

Doug Cunningham is director of the Hometown Merchants Association and a state senator.

Todd Wicken R.O.W. Division Property Management 402-479-4770

No virus found in this incoming message.

Checked by AVG Anti-Virus. Version: 7.0.300 / Virus Database: 266.4.0 - Release Date: 2/22/2005



"Patte Newman" <newman2003@neb.rr. com>

To: <JRay@ci.lincoln.ne.us> cc:

Subject: Fw: Woods park master plan

02/23/2005 02:02 PM

For the Council if not already sent to all.

----- Original Message ----From: Kollpainting@aol.com
To: pnewman@ci.lincoln.ne.us

Sent: Wednesday, February 23, 2005 1:10 PM

Subject: Woods park master plan

Mrs.Newman

I am writing you to ask that you vote NO on the current master plan for woods park. We further ask you to vote yes for an amendment to remove the tennis courts from the plan. We know as well as you do, if it's on the plan, it will get done, it will only be a matter of time and money. The city should have never allowed a private business to operate on public land. This proposal is just another way of taking away more precious park land from public use. The argument that the Woods park Tennis Corp. has is it would be better to have all the people at one location for the tournaments. They currently have control of all the courts in Lincoln. I believe there are 19 parks that have courts. How many do they need? enough is enough! We don't need more tennis courts, we need grass and trees. Not all people go to the park to play tennis. Please help to protect the park, vote NO to the plan and Yes to the amendment to remove the courts from the plan. We will be attending the city council meeting on the 28 th. Along with many neighbors, we will be testifying against the current plan.

I thank you for your time and vote

Brandon Koll Shelley Longsine 310 So. 30 th. st. Lincoln Neb.68510 477-6744

No virus found in this incoming message.

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Version: 7.0.300 / Virus Database: 266.4.0 - Release Date: 2/22/2005



To: Peggy Struwe <pstruwe@unlnotes01.unl.edu>

cc: council@ci.lincoln.ne.us, timdfrancis@aol.com, astone59@earthlink.net, astone@lps.org, rachelmurrayusa@netscape.net,

jmehrens@neb.rr.com

Subject: Re: Fw: Change of Zone #05003 & Miscellaneous #05001

Dear Ms. Struwe: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

Phone: 402-441-6866 Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

Peggy Struwe <pstruwe@unInotes01.unl.edu>



Peggy Struwe <pstruwe@unInotes01. unl.edu>

02/18/2005 02:24 PM

To: council@ci.lincoln.ne.us

cc: timdfrancis@aol.com, astone59@earthlink.net, astone@lps.org, rachelmurrayusa@netscape.net, jmehrens@neb.rr.com

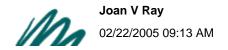
Subject: Fw: Change of Zone #05003 & Miscellaneous #05001

Dear City Council Representatives and staff,

Hawley Area Neighborhood Association supports the change to the lighting standards for businesses that abut residential zoning districts. The standard this change proposes for businesses, is the same requirement currently used successfully for recreational facilities and parking lots. The lighting need for security purposes is warranted but the protection from the spillage of light for a neighborhoods' quality of life must be considered.

Many of our neighbors abut businesses along 27th, 25th, 23rd, 19th, 0, P, Q, R, W, Y Street and UNL parking lots. Excess light spills over from all directions into our neighborhood.

Thank you, Peggy Struwe, President Hawley Area Neighborhood Association



To: Mary Roseberry-Brown <mroseberrybrown@yahoo.com>

cc: council@ci.lincoln.ne.us Subject: Re: Eminent domain for hotel

Dear Ms. Roseberry-Brown: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Rav

City Council Office 555 South 10th Street

Lincoln, NE - 68508 Phone: 402-441-6866

Fax: 402-441-6533 e-mail: jray@ci.lincoln.ne.us

Mary Roseberry-Brown <mroseberrybrown@yahoo.com>



Mary Roseberry-Brown <mroseberrybrown@y ahoo.com>

To: council@ci.lincoln.ne.us

Subject: Eminent domain for hotel

02/21/2005 09:07 AM

Please forward this to council members. Thank you **********************************

To: City Council Members

FROM: Mary Roseberry-Brown

RE: Proposed Hotel Development

Please vote against the proposed eminent domain taking of land for the purpose of building a hotel on the land.

- 1. Eminent domain should not be used for the gain of private individuals or corporations but only for public welfare.
- 2. Such a project would be creating blight rather than destroying it. Lincoln does not have the market for another hotel. Since the building of the Embassy Suuites Hotel, the beautiful Cornhusker Hotel has had very high vacancy. To build another large hotel would surely create more blight in the form of a large, vacant, out of business, formerly beautiful Cornhusker Hotel.

The Cornhusker is only 5 blocks from the UNL 14th and R street hub-only one more block than the proposed hotel. These 5 blocks would take the user through the downtown area, creating more business for that area.

An agreement could be made with the Cornhusker for

long term housing of visiting dignataries and faculty at $\mathtt{UNL}\,.$

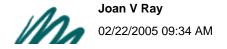
- 3. The businesses to be condemned are not really "blighted" but rather are thriving. Such a project would create blight rather than destroy it.
- 4. Development goals should be to foster competition between businesses rather than cater to one corporation for the downtown area.
- 5. Development goals should be to encourage rather than penalize local small business.

Thank you.

Mary Roseberry-Brown

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around http://mail.yahoo.com



To: "John Ewald" <ewald_john@hotmail.com>

cc: council@ci.lincoln.ne.us

Subject: Re: Thank You

Dear Mr. Ewald: Your message has been received in the Council Office and will be forwarded to the

Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street

Lincoln, NE - 68508 Phone: 402-441-6866 Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"John Ewald" <ewald john@hotmail.com>



"John Ewald" <ewald_john@hotmail. com> To: council@ci.lincoln.ne.us

0.....

Subject: Thank You

02/21/2005 12:53 PM

Dear Lincoln city council members,

My name is John Ewald and I was present at the January 31st Lincoln city council meeting. I want to thank you for voting to waive the impact fee for the veterinary office who annexed the neighboring laundromat for use as a employee waiting room. I believe it was a good decision and even though the mayor overturned your vote you still made the right choice.

I would also like to address the issue of the business hour restrictions for the lot near seventieth and highway two that I may sway your future votes if ever another issue like this one comes up. The real issue there was not the problem with the light or traffic for the local neighborhood. It was and is still the creation of jobs in Lincoln. There has been in the last few years a great influx of people into Lincoln. With this influx of people comes the need for more jobs. This need for jobs is equally present in most age groups. As a high school student, opportunities to hold entry level jobs are an extreme advantage because of the ability to save for college and other necessities. These jobs help throughout high school as well as in college until students have the opportunity to gain skills used in other jobs. I would ask you to help provide a better future for the next generation by doing whatever you can to bring more businesses into Lincoln. Thank you for the leadership you provide for the city of Lincoln as well as being a voice of the citizen in your community.

Thank you and may God guide your decisions,

John Ewald

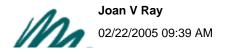
Senior, Palmyra High School

Phone: (402)780-5356

Address: 1086 I rd

Palmyra, NE

68418



To: Denise M Edmiston <jdjedm@juno.com>

cc:

Subject: Re: Wal-Mart at 84th and Adams

Dear Mr. Edmiston: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

Fax: 402-441-6533 e-mail: jray@ci.lincoln.ne.us

Denise M Edmiston <jdjedm@juno.com>



Denise M Edmiston <jdjedm@juno.com>

02/21/2005 03:56 PM

To: council@ci.lincoln.ne.us

CC

Subject: Wal-Mart at 84th and Adams

Council Members,

Just wanted to let you know that at least one long time resident of NE Lincoln is in favor of building the new Wal-Mart.

That entire area looks to be booming in the very near future. Noise and traffic (be it from a business or other source) are sure to increase so I'm not convinced that these are valid arguments against this type of development.

I won't ask for a response since I'm aware that you are all very busy, but if one happened to come my way that would be OK too.

Thank You

Jay Edmiston, 528 Trail Ridge Road, 484-5622, E-Mail jdjedm@juno.com



To: nthypar@lps.org

CC:

Subject: Re: wal-mart

Dear Ms. Thyparambil: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

402-441-6533 Fax:

e-mail: jray@ci.lincoln.ne.us

nthypar@lps.org



nthypar@lps.org 02/21/2005 05:11 PM

To: plan@lincoln.ne.gov cc: council@ci.lincoln.ne.us

Subject: wal-mart

Dear Members of the City Planning Department and City Council Members,

I wish to voice my displeasure at the plans for Wal-Mart to build a super center in the southeast corner of 84th and Adams. I am very much against this plan. I am a teacher at nearby Faith Lutheran School. I feel the safety of the nearly 300 students at Faith Lutheran School would be disrupted if there were such a large discount store nearby. Truck traffic would be disruptive. Lights would be disruptive. Selling beer and fire arms would be a safety issue. Many parents of my 4th grade students and students themselves have told me they do not want a Wal-Mart at this location. Please think again about this plan. It is not a good location for Wal-Mart.

Sincerely,

Nancy Thyparambil Faith Lutheran School



To: "YANKFAN" <LARRYGIEBELHAUS@msn.com>

cc:

Subject: Re: SMOKING BAN

Dear Mr. Giebelhaus: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"YANKFAN" <LARRYGIEBELHAUS@msn.com>



"YANKFAN" <LARRYGIEBELHAUS @msn.com>

Subject: SMOKING BAN

To: <council@ci.lincoln.ne.us>

02/22/2005 12:07 AM

HELLO.

I'M WRITING TO FIND OUT SOME INFORMATION ON THE NEW SMOKING BAN, I DID VOTE FOR THE BAN AND HAVE READ THE DEFINITIONS ON THE LINCOLN'S WEB SITE.

LAST WEEK I WAS AT A DOWNTOWN BAR AND WAS INFORMED THAT THEY WERE PUTTING IN A SMOKING ROOM. THAT THEY HAD SOMEONE FROM THE HEALTH DEPT. COME OUT AND TELL THEM THE GUILD LINES. AS LONG AS THE ROOM HAS A DOOR FROM THE BAR AREA AND HAS 20% FRESH AIR IT WOULD BE ALLOWED.

I AND EVERYONE ELSE THAT I HAVE ASKED DO NOT RECALL THIS AS PART OF OUR VOTE ON THE SMOKING BAN. I HAD MIXED FEELINGS ABOUT THE BAN (I DO NOT SMOKE) BUT I CAN SEE BARS ALLOWING SMOKING AFTER 10 PM WHEN CHILDREN CAN NOT BE THERE. I FEEL THEY ARE THE ONE'S

WE MUST PROTECT, ANY ONE ELSE HAS THE CHOICE WERE TO GO AND I WOULD HOPE THAT SOME BAR WOULD STAY SMOKE FREE, BUT IT WOULD BE MY CHOICE IF I WERE TO GO INTO A BAR THAT WOULD ALLOW SMOKING.

I KNOW WHAT I HAVE WROTE IS NOT HOW THE LAW IS WROTE BUT IF THE CITY IS GOING TO ALLOW SOME TYPE OF SMOKING ROOMS AT BARS I WOULD LIKE TO SEE THE LAW DROPPED. I AND MANY OTHERS VOTED FOR THE BAN ON THE UNDERSTANDING LINCOLN WOULD HAVE JUST THAT A SMOKING BAN.

WHEN I WALK DOWN THE STREET ALL I SEE IS ALL THESE PEOPLE OUT FRONT OF THE BARS SMOKING AND FLIPPING THEIR CIGARETTE BUTTS ON THE SIDEWALKS OR SITTING ON OTHER PEOPLE'S CARS SMOKING, THIS IS A PROBLEM I HOPE THE CITY IS GOING TO DEAL WITH. IF NOT PLEASE LET THEM SMOKE IN SIDE THE BARS AND KEEP OUR CITY CLEAN AT LEAST ON THE OUTSIDE.

I UNDERSTAND IT WAS VERY HARD TO MAKE THIS LAW. BUT PLEASE DON'T MAKE LOOP HOLES IN THE LAW AND ADD SMOKING ROOMS. IF THE CITY DOES CHANGE THE LAW AT LEAST CLEAN UP THE SIDEWALKS AND PROTECT OUR CHILDREN FROM SECOND HAND SMOKE

THANK YOU, YANKFAN

Larry Giebelhaus
1911 Boston Circle
Lincoln, NE 68521
LARRYGIEBELHAUS@MSN.COM
YANKFAN
Larry Giebelhaus
1911 Boston Circle

Lincoln, NE 68521 LARRYGIEBELHAUS@MSN.COM



To: jwjjr@concentric.net

CC:

Subject: Re: Eminent Domain

Dear Mr. J. Johnson, Jr.: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

402-441-6533 Fax:

e-mail: jray@ci.lincoln.ne.us

jwjjr@concentric.net



jwjjr@concentric.net 02/22/2005 01:31 AM

To: council@ci.lincoln.ne.us cc: JRay@ci.lincoln.ne.us Subject: Eminent Domain

Members of the Council:

I appeal to you, at this eleventh hour, to reconsider the path you and the mayor are following, namely, using the power of government to transfer property ownership from one private individual to another.

Before you on the 28th is the decision to subordinate the best interests of individual Lincoln citizens and property owners to the financial ambitions of an octogenarian, who is not a Lincoln citizen, to allow city government to enter the real estate business on a wholly one-sided basis instead of requiring the outsider who covets particular properties to negotiate, successfully or unsuccessfully, the purchase of real estate.

Consider the context in which you must reach a decision. The United States Supreme Court is now contemplating whether your power is or is not limited by the 5th Amendment to the Constitutive. Obviously, the Court is not looking specifically at the Lincoln City Council, our mayor or bureaucrats in Lincoln government. But the Court's decision will directly affect Lincoln -- and you.

I realize that some among you will feel that you must act quickly just in case the Court rules against what John Stossel of television's 20/20 terms "The Conceit of the Anointed." Stossel refers to elected officials like you, most of whom consider themselves smarter and wiser and more visionary than ordinary citizens -- and property owners -- because you somehow were elected to public office (OK, you raised enough money to get yourselves elected and made behind the scenes deals to get the support of left-wing or right-wing godfathers/mothers who could deliver the votes). But that's fair and it's the American Way, right? You have been anointed and now know better what is best for Lincoln than all Lincoln citizens -- or most Lincoln citizens.

I appeal to you for fairness. Shake off the anointment -- the elected representatives of the "people" -- and consider simple fairness, not to mention the 5th Amendment.

On the 28th, you should care not about your perception of "public use" as equal to "public good" but to what is fair and responsible as elected public officials. At the very least, you should defer a decision to support the out-of-town billionaire (He did not vote for any of you, right? And he didn't contribute to any of your election campaigns, right?) until the United States Supreme Court issues its ruling.

Be cautious, ladies and gentlemen. I -- and so many others -- will be watching your votes on this issue very carefully. Over three hundred Lincoln citizens on my mailing list will receive copies of this letter to you. If you sacrifice Lincoln property owners to the interests of some "expert" from out of town, it will be remembered and you will be rewarded. I am sure of it. It will be like a chain letter -- and they are annoying, aren't they?

This is not a threat but an appeal. Your billionaire from out-of-town, as Ms. Winter of the Lincoln Journal Star wrote so effectively in the Sunday edition, is perfectly willing to take his money to some other town of Lincoln's size, and invest it there. He does not care where he makes money — just that he makes money. He could care less about Lincoln. He just wants money. And he wants you to make it happen, dangling the promise that the taxes he will pay will be greater than the taxes Lincoln residents' pay. It seems to me that your obligation is to Lincoln residents and property owners, not to some guy who enriched himself by buying the Embassy Suites property for a fraction and found a community with a clueless mayor and City Council stupid enough to let him get away with it! (Your predecessors — except for former Council member Seng!)

Anyway, be thoughtful -- not anointed. Act for Lincoln citizens and property owners. Not some grand scheme that may never happen. This guy watched Lincoln botch Block 35 and then facilitate The Grand -- and soon, Antelope Valley. He's shrewd -- and you and the mayor are being screwed. And we taxpayers are, too. Thanks so much for representing the expert from out of town and not the citizens who elected you!

Joseph W. Johnson, Jr. 2800 Woods Boulevard, No. 908 Lincoln, NE 68502-5844

402-423-1447

Brian J and Dana L Meves 8970 Prairie Village Drive Lincoln NE 68507 402-327-8980



February 20, 2005

City Council Office County-City Building 555 S 10th Street Lincoln NE 68508

Dear Council member Terry Werner:

We are writing as concerned members of the Lincoln community regarding the proposed third Super Wal-Mart. We do not feel the community of Lincoln is in need of this additional Wal-Mart. We have also heard the rumblings of a possible fourth location on Hwy 77, but we are especially concerned with the proposal on 84th & Adams.

We have strong feelings as to why this is not an advantageous location. We believe this is an area that is beginning to thrive as a neighborhood community. We feel that our established neighborhoods, as well as our newly developing Prairie Village would be at a severe disadvantage to the traffic congestion and the dangers it would create. We would drive through this four times a day just to get to and from work. Additional traffic lanes, red light runners, noise, litter, and drainage are just a few of our concerns. Prairie Homes of Lincoln also owns land north of Adams Street, which they plan to develop for housing. Adams Street would have to be widened. Shoulders would need to be provided. Double turn lanes in all directions just like the locations on Superior Street and Hwy 2. A nice quiet neighborhood community this does not make.

If our community is truly in need of a third Super Wal-Mart, we ask why they have chosen this location? Will they honestly pull business from anywhere, as this location is between the two existing Super Wal-Marts. Wal-Mart has built the two existing structures in the "middle of no where," and the town has grown toward them, which I have appreciated.

Our homes, our cemeteries, our golf courses, and our churches are already here. WE DO NOT WANT A SUPER WAL-MART IN OUR NEIGHBORHOOD.

Our community however, is in great need of a grocery store, a video rental business, and a movie theater. We would be much more satisfied if a grocery store were allowed at the site. Yes, this would create more traffic congestion, but we feel that it would be from the local neighborhood community as opposed to non-local traffic coming in throngs to Super Wal-Mart. Just think of what it would be like at holidays such as Christmas. We just do not feel it would be safe for our neighbors or ourselves. There are too many deadly accidents on our streets. I do not want a potentially harmful intersection in my neighborhood.

We would appreciate the consideration of moving this site, whether for a Super Wal-Mart or any other large structure boasting over 80,000 sq ft be proposed farther north by undeveloped land closer to the convention center. We believe those attending convention center activities would frequent these establishments, as well as ourselves. The difference you ask? They would not be in our backyard.

Lincoln is a wonderful community and we believe in its growth, we do not believe in unnecessary commercial growth that has saturated our community. There are more important needs of the community than a third Super Wal-Mart at 84th & Adams.

As responsible registered voters, we would like to thank you for your service to the community of Lincoln.

Alana & Meuls

Sincerely,

Brian J and Dana L Meves



To: Dave O <daoco@yahoo.com>

cc: council <council@ci.lincoln.ne.us>, Deanna Winter

<dwinter@journalstar.com>

Subject: Re: Eminent Domain

Dear Mr. Oenbring: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us Dave O <daoco@yahoo.com>



Dave O <daoco@yahoo.com> 02/22/2005 11:59 AM

To: council <council@ci.lincoln.ne.us>

cc: Deanna Winter <dwinter@journalstar.com>

Subject: Eminent Domain

Please have the following entered into the Council minutes.

Dear Council Members,

I'm writing to express my firm opposition to the use of eminent domain for the purpose of luring a new hotel to downtown Lincoln. The area in question is far from blighted; in fact it's occupied by several thriving businesses.

The results of recent bond elections and the defeat of the levy override attempts should serve as a clarion call that the voters are sick of "business as usual" and want something different from the council. I would wager that if you put the entire Antelope Valley Redevelopment plan before the voters (as it should have been before ground was ever broken) it would be soundly defeated. What you are contemplating now is the most odious aspect of the whole process. The taking of personal property only to convert it to the personal property of another is not only unconstitutional it's immoral.

Making this decision before the Supreme Court decides the New London case could open up the city to an enormous liability for damages should the court rule for the plaintiffs. You would be very poor stewards of the public trust should you make that move.

Your actions here will receive nation wide attention, you can vote to honor the property rights of the citizens of this community or you can bow to political pressure and big money interests by acceding to a gross misuse of government power. Please choose wisely.

David Oenbring

2630 S 13th

Lincoln, NE 68502

402-474-4300





tary on manuller

Polly M. McMullen, President

Downtown Lincoln Association

Mark Hunzeker Pierson Fitchett Law Firm 1045 Lincoln Mall, Suite 200 Lincoln, NE 68508

February 18, 2005

Dear Mark,

On behalf of the DLA Executive Committee, we thank you for joining us at our February 15 meeting to discuss proposed changes to the downtown theater policy which your client, Dr. Greg Sutton, intends to submit to the City. We appreciate that you not only contacted us about this matter but that you offered to brief our group on the changes that your client will likely propose.

DLA will keep an open mind on this matter and will not make any decisions on a formal position until after your specific proposals have been submitted to the City. At the same time, our organization is on record as supporting the downtown theater policy for over 20 years. We consider this policy to be an important piece of the fabric of downtown in its role as the City's entertainment center.

Thanks again for your willingness to dialogue with us on this matter.

Sincerely,

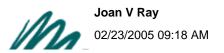
Michelle R. Waite, Chair

Downtown Lincoln Association

CC: Mayor Coleen Seng

Lincoln City Council
DLA Board of Directors

1200 N Street, Suite 101 Lincoln, NE 68508 (402) 434-6900 FAX (402) 434-6907 www.downtownlincoln.org



To: Jim Johnson < jjohnson@cornhusker.net>

Subject: Re: Don't water down the Living Wage ordinance!

Dear Mr. Johnson: Your message has been received in the Council Office and will be forwarded to the

Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

402-441-6533 Fax:

e-mail: jray@ci.lincoln.ne.us

Jim Johnson < jjohnson@cornhusker.net>



Jim Johnson <jjohnson@cornhuske r.net>

To: Council@ci.Lincoln.ne.us

Subject: Don't water down the Living Wage ordinance!

02/23/2005 03:41 AM

Dear Council Members:

I urge you not to water down the City's Living Wage ordinance to

the management at the Capital Humane Society. I like kitties & puppies, we all do, and I hope the Humane Society and the Health Department can figure out a way to work together towards an agreement that will benefit the animals and the residents of this City. But let's don't do it on the backs of poor people. If the Humane Society insists on paying their employees substandard wages, they hardly deserve to claim the word "humane" in their name, and they certainly shouldn't be getting subsidized by the City.

The Living Wage Ordinance has been unfairly characterized by a

local

newspaper editorial as something that tries to "force employers to pay more so people can have better lives." That's nonsense. The ordinance doesn't force any employer to do anything. It applies ONLY to businesses and organizations which have contracts with the City, and then only above a certain large dollar amount. No one "forces" employers to bid on such contracts; if they choose not to, the ordinance is silent. However, if a business does choose to bid on a government contract, then they're getting paid with taxpayer money, and it's only fair to expect them to be held to a higher standard than businesses which choose not to hold their hands out for tax money.

It shouldn't matter that there was only one bidder on the Humane

contract; having a monopoly doesn't give a business the right to flout City law. If obeying the law means they have to put in a higher bid, then so be it; if the bidding gets too far out of line then maybe the monopoly will break and others can step in and compete. That's how capitalism works.

If employers expect to underpay their people and force them to

supplement

Society

their earnings with government welfare checks, then they certainly shouldn't be getting government business. And don't let them get by with the claim that a request for a \$95,000 increase is due to the Living Wage Ordinance, when Council testimonly suggests that not more than 1/3 of that amount would actually go towards paying a living wage.

 $$\operatorname{Most}$ shocking of all was hearing Council member Svoboda state that, as the

co-owner of a company that has contracts with the City, if the City came to him and asked to see a list of employees' wages, he would refuse on grounds that it's a "privacy issue". Excuse me, but if the taxpayers are paying the salaries, how come it's wrong for us to see what our money is paying for? And shouldn't our Council members be setting an example by UPHOLDING city laws instead of heaping scorn upon those laws?

Do whatever's right to come to a fair agreement with the Capital

Society for their good work in the community, but please don't water down the Living Wage Ordinance. Thanks!

Sincerely,

Jim Johnson 1201 Berkshire Ct #36 Lincoln NE 68505

Phone: 466-0690

e-mail: jjohnson@cornhusker.net



To: "MICHAELE LUFT" <maskluft@msn.com>

CC:

Subject: Re: Wal-mart Super Center

Dear Mr. & Ms. Luft: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866 Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"MICHAELE LUFT" <maskluft@msn.com>



"MICHAELE LUFT" <maskluft@msn.com> 02/23/2005 09:02 AM

To: council@ci.lincoln.ne.us

CC:

Subject: Wal-mart Super Center

Dear City Council Members,

I would like to take a moment of your time to address Wal-mart's plans for another store in northeast Lincoln. I live south of Northforty golf course.

I'm 10 minutes from the 27th and Superior store. Give me one good reason why we need another store this close. To help beautify my neighborhood? To create a traffic problem that isn't necessary? Or maybe to destroy a Church?

I'll give you four examples why Wal-mart isn't welcome in my neighborhood. The first is a \$40,000 question, they take out Life Insurance policy's on all employees and when you die? Cha-Ching, Wal-mart's(The Walton's) are \$40,000 richer. The employees didn't even know that wal-mart was doing

Two, and being a union member at Goodyear Lincoln. This really hurts, Wal-mart Canada votes to become a Union(So that they can receive a fair wage and have better working conditions). Six months later Wal-mart decides to CLOSE this store.

Three, I'm sure you've read just lately about there settlement on breaking some Child Labor Laws. Letting kids use chain saws, run forklifts, ect.

Four, they have a saying, "Always Low Prices, Always". It should be "ALWAYS LOW WAGES, ALWAYS".

We need quality good paying jobs, not a discount store. We definately don't need a Wal-mart to drag down our neighborhood. The two stores they have now are enough, they also aren't in residential neighborhoods. Think twice about letting them in our backyard.

Sincerely, Michael and Shari LuftDear Planning Commissioners,

I would like to take a moment of your time to address Wal-mart's plans for another store in northeast Lincoln. I live south of Northforty golf course.

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Sincerely, Michael and Shari Luft

Don't just search. Find. Check out the new MSN Search!

http://search.msn.click-url.com/go/onm00200636ave/direct/01/



To: "Jo Forbes" <forbes1973@neb.rr.com>

CC:

Subject: Re: Woods Park Tennis Courts

Dear J. Forbes: Your message has been received in the Council Office and will be forwarded to the

Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

402-441-6533 e-mail: jray@ci.lincoln.ne.us

"Jo Forbes" <forbes1973@neb.rr.com>



Fax:

"Jo Forbes" <forbes1973@neb.rr.co</pre> To: <council@ci.lincoln.ne.us>

Subject: Woods Park Tennis Courts

02/23/2005 01:08 PM

TO: LINCOLN CITY COUNCIL MEMBERS

FROM: Vernon J. Forbes, 602 South 32 Street, Lincoln, NE 68510 - Forbes1973@neb.rr.com

When deciding your vote on the new Woods Park Master Plan which includes 3 proposed tennis courts, please consider the following:

- 1. Over the years. Woods Park has endured a number of losses, It has lost land to the Health Department and has also lost open space to expanded athletic facilities. In addition, its Rose Garden has disappeared and it has been without a picnic area and shelter for years.
- 2. Woods Park is a Community Park (C.P.) which, as defined in the Lincoln-Lancaster Comprehensive Plan, because of its size should serve only about 13% of Lincoln's residents.
- 3. Woods Park contains 3 athletic facilities that are designed and used to serve a population beyond the scope of a Community Park.
- 4. The baseball field, recently upgraded (without any neighborhood notification) is leased to Nebraska Wesleyan. Neighborhood children are now locked out of it. The city leagues use in the summer last year was considerably reduced from previous summers.
- 5. The Olympic size swimming pool is used several times each summer for major regional swim meets. During these 3-day meets the pool is closed to Lincoln residents and cars are parked in front of our homes all day long, because the large parking lots were obviously not designed for such extensive use.
- 6. Tennis: Woods Park alone has over a 3rd of all the tennis courts in Lincoln's Community Parks. The usual number of courts in the average C.P. is 2. Only one has 3. Woods contains 15!! This is obviously well beyond the Comprehensive Plan's scope for such a park.

The proposed courts are not for day to day summer use, because that use is only at 46% of capacity (Tennis Assn. Figures). They are to enable the Woods Tennis Facility to host tournaments - IN ONE LOCATION!

The Tennis Assn. currently welcomes matches and/or practices from the Lincoln Public Schools, Wesleyan, UNL & Concordia. These organizations should be willing to reciprocate during tournament time (such as is done during basketball tournaments). Tennis Assn. figures show that in the 12 tournaments last year, 24% of the participants were from outside Lincoln. This is also beyond the scope of a Community Park!

While having to travel from one location to another in a tennis tournament may be an <u>inconvenience</u> to participants, the permanent loss of the <u>only green space remaining</u> in the southern part of Woods Park would be a <u>tragic loss</u> to the neighborhood.

Woods Park is bordered on the South and West by <u>two</u> Historic Neighborhood Districts. In order to preserve the original 1920's character of this area, the city has put in place certain regulations which <u>require</u> us to preserve and care for the <u>original character</u> of our homes. And yet, the city has allowed the character of Woods Park to change over the past 20 years and into a Sports Complex right in our midst, complete with plastic bubbles for our viewing pleasure!

There are already too many tennis courts in Woods Park. When will the word STOP be used? Please vote to remove the proposed tennis courts. Thank you.

February 23, 2005



To: Mel Meister <mmeister@alltel.net>

cc:

Subject: Re: Downtown Development

Dear Mr. Meister: Your message has been received in the Council Office and will be forwarded to the

Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

Fax: 402-441-6533 e-mail: jray@ci.lincoln.ne.us

Mel Meister <mmeister@alltel.net>



Mel Meister <mmeister@alltel.net> To: <council@ci.lincoln.ne.us>

02/23/2005 01:22 PM Subject:

I am against the city putting another hotel downtown and destroying many small businesses that are located on that block.



DO NOT REPLY to this-InterLinc <none@lincoln.ne.gov

To: General Council <council@lincoln.ne.gov>

CC:

Subject: InterLinc: Council Feedback

>

02/23/2005 01:52 PM

InterLinc: City Council Feedback for

General Council

Name: Kenneth and Ada Bishop Address: 5328 Marigold Court City: Lincoln, NE 68521

Phone: Fax:

Email: klabishop@earthlink.net

Comment or Question:

We feel that the power of eminent domain shouldn't be used to take the property of small businesses for the benefit of "big business". The hotel that is being proposed might be a very nice thing to have, but we think it would be better to deal with the present land owners in the usual way, and probably pay them fair market value if, and only if, they will agree to relocate. We wouldn't like for Lincoln to be known as a place unfriendly to small business. Please take time to make a good and fair decision. It seems as if we are being railroaded into making a deal with Mr. Hammons because of his age.

Another thought is that we want to keep our Nebraska young people and college graduates here at home. Let's deal fairly with those who have elected to invest their lives right here in Lincoln. They deserve our kindness and consideration.

Sunday Jeb. 20, 2005 8 MONES FROK WeyOD FEB 23 2608 City Courcil Members-Derry Werner In aware that you are voting on a contract for the Capital Humane-society. I wrok you strongly to vote against the contract. I'm whiting white tell you about the incident that took place at the Capital Diamone Sacreta. This is a capital Diamone Sacreta. This is there I have serious matter that happen there. In the person who, had to over a hundred cots on Lindenst. On august 18, 2004 Dradian agreement with the orty - thesi 1:30 am in the morning! I agreed to surrender 45 cas for leber charges and get à also they weren't suppose to tents back. roloose my same-my webselo mother in laws no me in the news media.

Society to pick out the 2 Cats we wanted back on aug. 18, 2004.

about 10:30 am - me, my wifenack meyer an employee & antimal hallway. First we stopped in the rome we saw one a our cate named Chip the went to other rooms, we storted to look, for the other cat - so we went thrown the dog Kennels & found the other cat named Janey, so then my nach meyer went inside the do-We both sow the ditimal-Control lady where their rames Glown weaver we were poth standing on each stale of here! (000t ->

So the animal Control ladie Called Jim Beneria that I we Came to pickup the 2 cats pick them up till we cleaned the basement up first. But I'm westertha is a pathetic liars - that wain't part of the agreement - he violated the agreement In vary angry at Jambourla for lifting to the driveway & the news media was already there waiting for us. we asked 90/11 where they got the name of add ress from they said they got it from the police depotentment lady that they brolated the agreement.

Go ibe had news media around all clay, in cluding so we cleaned up the basement so we could get our 2 cats back They Inspected the hause on Sept. 18t, 2004 - they said, (animal Control & Health Dept) that we could get our cats back. So this where the Capital, Humana Society is involved Mr. Werner- this where the ngannare & enotional distress starts when we went book to prokupthed acts at the Ouption Humane Society.

5-On Sept. 1st at 3:00 pm we went to the Capital Humane-Society so we told Kaven-Phillips we came to pick up our 2 Cats - she told us she had to called the arimal Control Officer- so she had us to set while we were waiting. Ull of a sudden sherte upix here to pick up the 2 femaleacts: - that's what karren Phillips said. I repoponed I don't Know what you're talking aboutthey are 2 male cats!" The worken was very rude to me she said " wait till the animal Control officer gets here" But a female employee she took he back to where the 2 Cats were in the room

She opened the door. I was amazed there was no light on in the room - so we tollowed her around to the bage where the costs were but I was very discusted what I had seen - wood asked ner why doesn't this cage have no food or water & no lighting per these 2 Cats. She responded, we were cleaning the cades out that's why there's not food or water! because the other cages in that noom had food & water in them How can they be so stupid they had I male & I temale = don't they know the dry farence told methey were la jemales

One cot they had right was Chip - they weren't taking Good care of him for us, -) his onelie was brusted shut So Dopened his cut, a female was the wrong Cot she was spayed which she was not supposed to be because she had been spayed before so they opened her up again How stupid are they? We told them beyore Hat she had already been spayed. So we asked her where is Janay?" She then took us to the dog Kernel - Loe looked Hurough the cases to see if we could bind Fancy.

Le was no where to be found-They lost him? So she took us back to the office-we told the lady Karen-Phillips that one of the cats wasn't there. I notice the animal Control was there named mr wimes as ked me what was going on - I told is natout the messing cut-sistanted to get vory anary sold "wheres my cet, where's my cat? Then I could hear Karen Phielips say "He probably got-adopted", Dresponded" How could they adopted him out when me, my wife, mach meyer - 9 -

and animal Control Woman proceed out the 2 cats Chapé Fancy-the 2 cots loore there Trangs started to get tense between me & Karen Phielips. She said over & over the cat provably got adoped & nothing they could do about it. I said "pardon me", you're responsible because he's in your care" He was adopted illegally & She said she didn't hope I Spelled Hus correct? eant to arquewithme She told me to -"Shut up! See how rude the are? She told me to talk to Juniblance -

- 10-

Said "Shut ap & that she didn't want to argue with me. So the animal Control Officer nn wines said "go look dgain" I said "that wont do no goodbecause we know he's not there" So we went back to the room-Unimal Control Officer Mishimes me & an employed but their time they had brounge cards to be sure they had the right Cather now come they didn't do Haw before mr worner? So we left the room then pack to the dog Kennel-tried to look again How not here - so we went back to the office - So wa told har Lancy

So the Jemale employee gave the orange cards to Karen Phillyss so we asked her where is Jancy at?" She soud probably got adopted - there's nothing we can do about it. Once they get adoped, there's nothing they cando about it. So she said the wrong words to me - I got angry at her again, I told nor- yours responsible for the cat" - then Mr. Wimes started to get in an arguement he said "theres nothing becan do about it. Mr. wines started an arguement with my wifethe I drilled Mr. Wines Hight backs.

So I left after that - I Could still hear Karen Philips mumbering to herself the "nothing they can do about it" she sould "Call Jan weverthe" about it." So we went home upset about the whole ordeal. So I called Jim Devertais number up Sept. 2nd, 2004-1/am I couldn't believe what he told me - He sound "Theress nothing he can do about it. the Cat getting adopted The Capital Humane Society told him that they had the 2 reght cats-but they dranit. They're told me not to argue with him or will throw you an joint over

de told me to pick another Cet out - I hung up on ham I That proces my werner I'm wever coe is a patheteliar & doesn't structo agreements. Copital Hume Society employees, gack meyer & animal Control women they were involved in practing the cots out-Never came jorward about the information. My feeling wright now 1s they covered it up. BOHT employees should be

Mr. Weverka told me to pick another cat out - we already picked 2 cats out, That raises alot of red flage about what was going on - mr. Howeverta should resign from his sob. Joo many unanswered questions Oct. 9th, 2004 I put an ad for Fancy to sel if I could find him - Haber'd found him yet Humane Society - would Contine \$ 3,500.00 gust to look through adoption records. Ishouldn't have to pay this amount of money when Heyrs accountable for it. = " (over - over -

- 15 -

all they have to do is look up adoption records -Call the people who have him & Say he was mistakenly adopted. all Dumane Society is down right now is Tovering it up. Thats why Mr. wernst I strongly oppose Capital Humane Swiety-Contract. Somethings not-right there. Then there is - Mr. Bob Downey -Mr. Downey is alyin' bastard because when I ran the ad on Oct. 9th, 2004 on my hussing. Cat. De soud Organination. Saved the reight Cat, but he's

100% wronge from Oct. 9th, 2604: Sowney believes his organization saved the right cat for meyer but questioned why even is the Hu-piane socity didn't, Meyer didn't pick another pass & See, this proves Mr. Rowney his staff is Covering it up pastard! Fook at all the evidence -I have account the Auman Society on Sept. 28th, 2004 - I was reading the Journal & Star paper an article came across about my Cats saying they my cats.

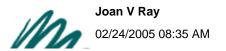
LOVEN

This is a quote from Bob Downey-Sept. 28th, 2004 & rom Bob Downey-Either for heatht reasons or because they were not adopted. So they Killed the ones that didn't alt adopted-That's not right at all when Mr. Daoney sold some of them have health problems, then why word they up for adopteon for a month? The we that one out Mr. Werner Mr. Downey & his staff are liars covering up the 31 catal Their beternarian couldn't even dygnose hourball - that's how Stupid they wied They don't Know what they're dong. investigate on the 31 cats-it

Meres my thought about Mr. Downey on the 31 catsat hid of these cats because he didn't board to board them - anymore at Capital annous Society Mr. Downey gust wanted to Keep the rest of the Money & Cot Lood donation The money donated, was 47, occord or 1/4,000 mr. Downey said he spent half of that That's why Mr Werner, the Esa Serious problem Lociety, animal Control or newspriedia, No not release information about Frewletter to nobody.

(OUER-

I his letters you 4 the other City Council Members only. what you should do when you vote on the contract. you should have Mr. Downey talk about the incident long lotter. I tried to get as much details sabout the letter as I can I I work a City Council-member, I would be outraged road-mg this letter? Thank you? Rickmeyer P.D. you deen write mo. any Comments about



To: JLamb@southeast.edu

CC:

Subject: Re: Proposed Hotel Site and Eminent Domain

Dear Ms. Lamb: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

402-441-6533 Fax:

e-mail: jray@ci.lincoln.ne.us

JLamb@southeast.edu



JLamb@southeast.edu

02/23/2005 04:56 PM

To: council@ci.lincoln.ne.us

Subject: Proposed Hotel Site and Eminent Domain

To City Council Members:

I am writing to voice my concern about your proposal to acquire the property between 16th and 17th and P and Q Streets through the use of eminent domain. I strongly disagree with the proposal and believe that it is totally unethical and unjust to subject the current property and business owners to the type of treatment which they are experiencing. believe that the Council is letting the power of money stand in their way of fair and ethical treatment to the citizens of Lincoln. Although I realize that the proposed development may bring in a huge source of tax revenue for our city, it is not right to take property away from one individual and give (or sell at a reduced rate) to another individual. While growth and development within our city are inevitable and necessary, there are plenty of locations already available without the city having to exercise the use of eminent domain to take property away from others.

I urge all of you to stop and take a look at what you are actually doing here, and I urge you all to put yourself in the place of these current property and business owners and determine if you thought it was fair for the city to displace you and your home or business without fair and just compensation. I have a very personal interest in this entire process, and I ask that you reflect on this issue to see if you can clearly say that this is right. I am ashamed of the fact that our city would treat our own citizens this way. We encourage our community members to set up business in our town, we encourage our university graduates to remain in Lincoln and contribute to the city, and then we respond in this manner. It is truly wrong.

It is my hope that the City Council will make a decision that is morally and ethically right and not one that is purely motivated by money. Thank you,



To: dlamb@southeast.edu

CC:

Subject: Re: eminent domain

Dear Mr. Lamb: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

402-441-6533 Fax:

e-mail: jray@ci.lincoln.ne.us

dlamb@southeast.edu



dlamb@southeast.edu

To: council@ci.lincoln.ne.us

CC:

02/23/2005 04:56 PM Subject: eminent domain

Having read the articles in the paper this past week, I am not in favor of supporting changes in this city based upon manipulating individuals because "big business"

utilizes their clout(mostly, money).

I oppose eminent domain, and support the businesses which already exist there. My attitude will change only if the city council honors them with fair market value.

Many of them have worked hard to build their businesses, and they need to be recognized for this through a monetary value based upon fairness. \$10,000 is not comprable to \$200, 000, and is an insult to a business person who has worked to fulfill their North American Dream.

I will be in attendance at the council meeting on Monday, February 28th in support of the working class people who support their dreams, this city, and their community.

Their efforts have made this city an All American city; eminent domain changes this into something less than that of which I cannot be proud!

David Lamb 1319 N. 38th Lincoln, NE. 68503



To: jess@lakeowencamp.com

CC:

Subject: Re: Opposed to Hotel Project

Dear: Ms. Swift Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

402-441-6533 Fax:

e-mail: jray@ci.lincoln.ne.us

Jessica Swift < jess@lakeowencamp.com>



Jessica Swift <iess@lakeowencamp.</pre> To: council@ci.lincoln.ne.us

Subject: Opposed to Hotel Project

02/23/2005 11:16 PM Please respond to jess

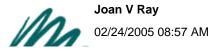
To whom it may concern:

I am writing in response to the Hotel project proposed to take over the blocks at approximately 17th and Q streets. Where Samurai Sam's is located. It appears that the city is not taking care of the businesses that are currently there. I feel this development is unethical and unjust. The 5-6 businesses that occupy the proposed area are not being taken care of. I know the owners of Samurai Sam's and they were only offered 10,000 for relocation and a U-haul. That is ridiculous, that is not nearly enough money for them to re-locate or reimburse them for the money and efforts they have invested into the business!!!

I am a former citizen of Lincoln x 8 years and will not be able to attend the city council meeting however I am strongly against this hotel project! It is unfair to the small businesses that currently occupy the area and it would change the small town feel of the down town area!!!!

Thank you for listening to my concerns.

Jessica A. Swift RD, LMNT



To: "Onie" <onie@onre.com>

cc:

Subject: Re: Eminant Domain

Dear "Onie": Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866 Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Onie" <onie@onre.com>



"Onie" <onie@onre.com> 02/24/2005 07:21 AM

To: <council@ci.lincoln.ne.us>

CC:

Subject: Eminant Domain

Council Members,

I am <u>so</u> tired and disgusted by the strong armed take over of property wanted by some robber baron developer from a private individual!! I am <u>so</u> angry with city council's and mayor's who are paid off in some way or another to change zoning, or use the eminent domain card in order to profit a deceitful developer who usually <u>never</u> lives in state or will <u>never</u> be involved in the community.

Any one of you willing to have the same happen to you?

"We will take your house and your property."

"But, why?"

"Because we can!!"

Signed,

In total agreement with Col. Joe Johnson who's letter is as follows:

Members of the Council:

I appeal to you, at this eleventh hour, to reconsider the path you and the mayor are following, namely, using the power of government to transfer property ownership from one private individual to another.

Before you on the 28th is the decision to subordinate the best interests of individual Lincoln citizens and property owners to the financial ambitions of an octogenarian, who is not a Lincoln citizen, to allow city government to enter the real estate business on a wholly one-sided basis

instead of requiring the outsider who covets particular properties to negotiate, successfully or unsuccessfully, the purchase of real estate.

Consider the context in which you must reach a decision. The United States Supreme Court is now contemplating whether your power is or is not limited by the 5th Amendment to the Constitution. Obviously, the Court is not looking specifically at the Lincoln City Council, our mayor or bureaucrats in Lincoln government. But the Court's decision will directly affect Lincoln -- and you.

I realize that some among you will feel that you must act quickly just in case the Court rules against what John Stossel of television's 20/20 terms "The Conceit of the Anointed." Stossel refers to elected officials like you, most of whom consider themselves smarter and wiser and more visionary than ordinary citizens -- and property owners -- because you somehow were elected to public office (OK, you raised enough money to get yourselves elected and made behind the scenes deals to get the support of left-wing or right-wing godfathers/mothers who could deliver the votes). But that's fair and it's the American Way, right? You have been anointed and now know better what is best for Lincoln than all Lincoln citizens -- or most Lincoln citizens.

I appeal to you for fairness. Shake off the anointment -- the elected representatives of the "people" -- and consider simple fairness, not to mention the 5th Amendment.

On the 28th, you should care not about your perception of "public use" as equal to "public good" but about what is fair and responsible as elected public officials. At the very least, you should defer a decision to support the out-of-town billionaire (He did not vote for any of you, right? And he didn't contribute to any of your election campaigns, right?) until the United States Supreme Court issues its ruling.

Be cautious, ladies and gentlemen. I -- and so many others -- will be watching your votes on this issue very carefully. Over three hundred Lincoln citizens on my mailing list will receive copies of this letter to you. If you sacrifice Lincoln property owners to the interests of some "expert" from out of town, it will be remembered and you will be rewarded. I am sure of it. It will be like a chain letter -- and they are annoying, aren't they?

This is not a threat but an appeal. Your billionaire from out-of-town, as Ms. Winter of the Lincoln Journal Star wrote so effectively in the Sunday edition, is perfectly willing to take his money to some other town of Lincoln's size, and invest it there. He does not care where he makes money -- just that he makes money. He could care less about Lincoln. He just wants money. And he wants you to make it happen, dangling the promise that the taxes he will pay will be greater than the taxes Lincoln residents' pay. It seems to me that your obligation is to Lincoln residents and property owners, not to some guy who enriched himself by buying the Embassy Suites property for a fraction and found a community with a clueless mayor and City Council stupid enough to let him get away with it! (Your predecessors -- except for former Council member Seng!)

Anyway, be thoughtful -- not anointed. Act for Lincoln citizens and property owners. Not some

grand scheme that may never happen. This guy watched Lincoln botch Block 35 and then facilitate The Grand -- and soon, Antelope Valley. He's shrewd -- and you and the mayor are being screwed. And we taxpayers are, too. Thanks so much for representing the expert from out of town and not the citizens who elected you!

Joseph W. Johnson, Jr. 2800 Woods Boulevard, No. 908 Lincoln, NE 68502-5844

402-423-1447



To: RogerYant@aol.com

CC:

Subject: Re: Eminent Domain: Stop before it's to late.

Dear Mr. Yant: Your message has been received in the Council Office and will be forwarded to the

Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

Fax: 402-441-6533 e-mail: jray@ci.lincoln.ne.us

RogerYant@aol.com



RogerYant@aol.com To: council@ci.lincoln.ne.us

02/24/2005 08:27 AM

Subject: Eminent Domain: Stop before it's to late.

I believe that you the City Council hold off on the vote on the 28th. I believe that the government doesn't have the right to take land in this way. More time needs to be spent on this instead of rushing it through. Put yourself in the same spot these people are in that don't want to loose their property. Sincerely, Roger Yant



To: "Lincoln Business" < jjg666@lincolnbusiness.com>

CC:

Subject: Re: Eminent Domain BBR

Dear Mr. Graziano: Your message has been received in the Council Office and will be forwarded to the

Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

402-441-6533 Fax:

e-mail: iray@ci.lincoln.ne.us

"Lincoln Business" <jjg666@lincolnbusiness.com>



"Lincoln Business" <iiq666@lincolnbusine

02/24/2005 09:42 AM

To: <council@ci.lincoln.ne.us> cc: <jwjjr@concentric.net>

Subject: Re: Eminent Domain BBR

TO: Elected Officials of the Lincoln City Council

Joe Johnson recently sent you a letter (which is repeated below) regarding your appalling misuse of the eminent domain doctrine.

What you are doing is nothing less than legalized theft – pure and simple. But legalized or not – theft is theft.

If the gentleman in question wishes to buy the property – he is free to make the current owners an offer. But it is unconscionable that he use the power and force of law to bend others to his will.

Come next election – ANY elected official who has voted for this travesty will lose my vote.

Sincerely.

Jack Graziano jjg666@lincolnbusiness.com

ORIGINAL LETTER FROM JOE JOHNSON FOLLOWS:

Members of the Council:

I appeal to you, at this eleventh hour, to reconsider the path you and the mayor are following, namely, using the power of government to transfer property ownership from one private individual to another.

Before you on the 28th is the decision to subordinate the best interests of individual Lincoln citizens and property owners to the financial ambitions of an octogenarian, who is not a Lincoln citizen, to allow city government to enter the real estate business on a wholly one-sided basis instead of requiring the outsider who covets particular properties to negotiate, successfully or unsuccessfully, the purchase of real estate.

Consider the context in which you must reach a decision. The United States Supreme Court is now contemplating whether your power is or is not limited by the 5th Amendment to the Constitution. Obviously, the Court is not looking specifically at the Lincoln City Council, our mayor or bureaucrats in Lincoln government. But the Court's decision will directly affect Lincoln -- and you.

I realize that some among you will feel that you must act quickly just in case the Court rules against what John Stossel of television's 20/20 terms "The Conceit of the Anointed." Stossel refers to elected officials like you, most of whom consider themselves smarter and wiser and more visionary than ordinary citizens -- and property owners -- because you somehow were elected to public office (OK, you raised enough money to get yourselves elected and made behind the scenes deals to get the support of left-wing or right-wing godfathers/mothers who could deliver the votes). But that's fair and it's the American Way, right? You have been anointed and now know better what is best for Lincoln than all Lincoln citizens -- or most Lincoln citizens.

I appeal to you for fairness. Shake off the anointment -- the elected representatives of the "people" -- and consider simple fairness, not to mention the 5th Amendment.

On the 28th, you should care not about your perception of "public use" as equal to "public good" but about what is fair and responsible as elected public officials. At the very least, you should defer a decision to support the out-of-town billionaire (He did not vote for any of you, right? And he didn't contribute to any of your election campaigns, right?) until the United States Supreme Court issues its ruling.

Be cautious, ladies and gentlemen. I -- and so many others -- will be watching your votes on this issue very carefully. Over three hundred Lincoln citizens on my mailing list will receive copies of this letter to you. If you sacrifice Lincoln property owners to the interests of some "expert" from out of town, it will be remembered and you will be rewarded. I am sure of it. It will be like a chain letter -- and they are annoying, aren't they?

This is not a threat but an appeal. Your billionaire from out-of-town, as Ms. Winter of the Lincoln Journal Star wrote so effectively in the Sunday edition, is perfectly willing to take his money to some other town of Lincoln's size, and invest it there. He does not care where he makes money -- just that he makes money. He could care less about

Lincoln. He just wants money. And he wants you to make it happen, dangling the promise that the taxes he will pay will be greater than the taxes Lincoln residents' pay. It seems to me that your obligation is to Lincoln residents and property owners, not to some guy who enriched himself by buying the Embassy Suites property for a fraction and found a community with a clueless mayor and City Council stupid enough to let him get away with it! (Your predecessors -- except for former Council member Seng!)

Anyway, be thoughtful -- not anointed. Act for Lincoln citizens and property owners. Not some grand scheme that may never happen. This guy watched Lincoln botch Block 35 and then facilitate The Grand -- and soon, Antelope Valley. He's shrewd -- and you and the mayor are being screwed. And we taxpayers are, too. Thanks so much for representing the expert from out of town and not the citizens who elected you!

Joseph W. Johnson, Jr. 2800 Woods Boulevard, No. 908 Lincoln, NE 68502-5844

402-423-1447



To: "Joe & Danna Durante" <djdurante@hotmail.com>

CC:

Subject: Re: Hotel Development

Dear Mr. Durante: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866 402-441-6533 Fax:

e-mail: iray@ci.lincoln.ne.us

"Joe & Danna Durante" <djdurante@hotmail.com>



"Joe & Danna Durante" <didurante@hotmail.co

To: council@ci.lincoln.ne.us

Subject: Hotel Development

02/24/2005 11:13 AM

To Whom It May Concern:

I am writing you with great concern regarding the hotel development plans for 17th and Q. I am against this development as it is unjust and unethical. The current businesses need to be compensated with fair market value. This should not even be an issue as the action of not providing fair market value for the property and/or business is against the Eminent Domain Law. Please represent me, my family, and our concerns regarding this issue at the upcoming City Council meeting on Monday.

I look forward to hearing back from you on this issue. I also pray that if the hotel development is in fact going to become a reality, that at least this city council will stand up for it's local businesses and protect their rights.

Thank you for your time, consideration, and response in this situation.

Sincerely, Joe Durante 488-2043



To: "Gary Harris" <Garyandkaron@msn.com>

CC:

Subject: Re: Wal-Mart Proposal at 84th and Adams

Dear Ms. Harris: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866 Fax: 402-441-6533

e-mail: iray@ci.lincoln.ne.us

"Gary Harris" < Garyandkaron@msn.com>



"Gary Harris" <Garyandkaron@msn.

To: <council@ci.lincoln.ne.us>, <plan@lincoln.ne.gov> cc:

com>

Subject: Wal-Mart Proposal at 84th and Adams

02/24/2005 11:20 AM

To: Lincoln City Council and City of Lincoln Planning Commissioners

Dear Sirs and Madams,

As a member of Faith Lutheran Church and School located at 8701 Adams, I would like to register some significant concerns for the proposed building of a Wal-Mart store on the South corner of 84th and Adams Street.

The most significant concern is the potential hindrance to our ministry, especially our school and our Touching Hearts Early Childhood Center. Below are several other concerns I as a member feel could harm the church's ministry and safety.

- Security and safety for our members, school teachers, and children.
- Accidents due to close proximity of the planned access road between the church and the proposed Wal-Mart.
- Wal-Mart Building layout (for example, auto lube center directly across from our future sanctuary)
- Wal-Mart parking lot lights
- Litter
- Noise
- Overnight RV parking/after hours parking lot activity of a 24/7 operation
- Alcohol / tobacco / firearms sales within close proximity to a church, school, preschool and daycare.
- Drainage / run-off
- Potential for increased crime

- Unwanted traffic through our parking lots
- Potential loss of incomes created by concerned parents having their children in a school/preschool/early childhood learning center located so close to a Wal-Mart store.
- Aesthetic concerns

Thank you for your attention to these above concerns.

Sincerely,

Karon L. Harris

Get more from the Web. FREE MSN Explorer download : http://explorer.msn.com



DO NOT REPLY to this-InterLinc <none@lincoln.ne.gov

To: General Council < council@lincoln.ne.gov>

CC:

Subject: InterLinc: Council Feedback

>

02/24/2005 12:04 PM

InterLinc: City Council Feedback for

General Council

Name: Doyle Adams Address: 7330 Greenwood ct

City: Lincoln, NE 68507-2162

Phone: Fax:

Email: doyle@neb.rr.com

Comment or Question:

I am writing on the proposed WalMart at 84th and Adams. This proposal as I understand it is on the Southeast corner of 84th and Adams. I would like that site moved to the Northeast corner of 84th and Adams. Or even a better site closer to the interstate north on 84th Street. Please Move this proposed site other than the southeast section of 84th and Adams.

Thank you for making Lincoln a better place

Doyle Adams

RECEIVED

FEB 2 4 2005

CITY COUNCIL OFFICE

Terry Werner City Council Office County-City Building 555 South 10th Street Lincoln, NE 68508 February 23, 2005

RE: Woods Park Master Plan

Dear Councilman Werner:

At your February 28th meeting you will discuss the Woods Park Master Plan. As part of the plan, I oppose the construction of additional tennis courts on the south side of Woods Park. My opposition is based on the following:

- Enough green space has already been used up at the park, especially on the park's southern end.
- Building three courts now will only encourage the building of additional courts in the next fifteen/twenty years. The character of the park must be maintained.
- Woods Park is a medium sized, neighborhood park. It should not be a sports complex serving regional needs.
- Finally, do you see a demand for additional tennis courts in Lincoln? I rarely see the tennis courts at Irving Park or the University of Nebraska (east or main campus) being used. The proposed Laykold courts are for competitive tennis players—the majority of whom, I suspect, do not live in Lincoln. I do not see a need for more tennis courts near downtown.

Thank you for your time and attention.

Sincerely,

Michael McDannel

Mich-1 Mc

3300 J Street

Lincoln, NE 68510

February 23, 2005

City Council Members, City Council Office, City of Lincoln, 555 S. 10th Street, Lincoln, NE 68508. FEB 2 4 200t GTY COURSE

City Council Members:

I am enclosing a short essay that I am also sending to the Lincoln Journal Star regarding the eminent domain matter affecting the area bounded by P, Q, and 17th and 18th Streets.

I clearly want it understood that my views do not necessarily reflect the views of the Nebraska Center for Entrepreneurship, the Department of Management, the College of Business Administration, nor any other department of the University of Nebraska-Lincoln. They are entirely my own views.

I regret that I cannot attend the City Council meeting on February 28. I am teaching a class on the growth and development of small businesses that night.

Thank you.

Sincerely,

Richard Kimbrough

205 S. Boswell Crete, NE 68333

Email: rbkimbrough@yahoo.com

Ph. (402) 826-4428

ON THE EMINENT DOMAIN CONTROVERY

Until the Lincoln Journal Star ran its Sunday Special story "Eminent Domain Fight Pits City vs. Owners," I knew little about the apparently fast growing practice of cities exercising the right of eminent domain to take privately owned property from one person or entity to deliver it to another private person or entity. Of course I knew of the traditional right of eminent domain, i.e., that private property may be taken for "public use," e.g., for roads, schools, utilities, and the like, if just compensation is provided. Such a right has long been accepted as just and proper. But now I learn that in Lincoln the very real threat exists that private property will be confiscated by the city to be handed over to an 85-year-old billionaire John Q. Hammons, a private developer, the rationale being that a hotel would generate more tax revenue than can be generated from the present established businesses.

Even as this is being written the Supreme Court of the United States is considering whether this practice of involuntarily forcing one owner out to reward another private party is lawful. I cannot imagine that the Supreme Court will permit this invidious practice of destroying the property rights of individuals under the guise of eminent domain to continue. If it does, no private property will be safe from government expropriation. As attorney Scott Bullock of the Institute for Justice in arguing before the Supreme Court said on Tuesday, "Every home, church or corner store would produce more jobs and tax revenue if it were a Costco or a shopping mall." Justice Sandra Day O'Conner asked, "Would it be okay for a city to replace a Motel 6 with a Ritz-Carlton if the city felt Ritz-Carlton could pay more tax?" Good question. However, in the Lincoln situation, as the Journal Star article points out, "...the property may already be in Hammon's hands by the time the Supreme Court rules later this year."

I must confess that I do have a special interest in this matter. Sean Wieting who operates Samuri Sam's in the affected area was my Small Business Management student in the fall of 1996, and an excellent student he was. He has gone on to succeed with his business and to be a model citizen in the Lincoln community. He has frequently spoken to UN-L business classes about the rewards and challenges of entrepreneurship, and he has been a presenter at regional entrepreneurship conventions. So it does concern and indeed anger me that Sean is threatened with the destruction of his business.

However, this matter of how eminent domain is used is much, much bigger than Sean Wieting. If the right of eminent domain means that cities and other governmental entities can gobble up private property at their whim, then no private property is safe. As an instructor in the Management Department, I shall have to change my advice to students when we talk about business locations to include the warning that they should be aware that they might have their business seized at any time to be delivered into the hands of a fatter cat in order that the city may gain greater tax revenues.

I should say that the views I've expressed above are my own and do not necessarily reflect the views of the Nebraska Center for Entrepreneurship, the Management

Department, the College of Business Administration, nor the University of Nebraska-Lincoln in any way.

Richard Kimbrough

Crete, NE

Es.

ADDENDUM TO DIRECTORS' AGENDA MONDAY, FEBRUARY 28, 2005

I. MAYOR

- 1. NEWS ADVISORY RE: Mayor Coleen Seng will discuss the Stevens Creek Watershed Master Plan and the proposed downtown hotel project at a news conference at 10:00 a.m., Thursday, Feb. 24th -(See Advisory)
- 2. NEWS RELEASE RE: Plan Released For Stevens Creek Watershed-(See Release)
- 3. NEWS RELEASE RE: Mayor Seng Outlines Benefits Of Hotel Project-(See Release)
- 4. NEWS RELEASE RE: Final Workshop To Showcase Recommended Intelligent Transportation System Projects-(See Release)
- 5. NEWS ADVISORY RE: Mayor Seng's Public Schedule Week of February 26-March 4, 2005-Schedule subject to change-(See Advisory)

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

- 1. E-Mail from Jenkins to Jon Camp RE: 48th & "O" (See E-Mail)
- B. DIRECTORS AND DEPARTMENT HEADS NONE

C. MISCELLANEOUS

- 1. E-mail RE: Downtown Hotel-(See E-Mail)
- 2. E-mail from Jeff Lake RE: Samauri Sams/Antelope Valley Hotel Redevelopment (See E-Mail)
- 3. E-mail RE: Hotel Development (See E-Mail)

- 4. E-mail from Karen Emerson RE: Eminent Domain- (See E-Mail)
- 5. E-mail from Mike, Lori, Dylan and Ali Lane RE: Wal-Mart Proposal- (See E-Mail)
- 6. E-mail from Tracy Rathe RE: Wal-Mart Proposal (See E-Mail)
- 7. E-mail from Darryll Pederson RE: Hotel condemnation-(See E-Mail)
- 8. E-mail from Kirk Bennett RE: Stealing Private Property-(See E-Mail)
- 9. E-mail from Jo Ann RE: Eminent Domain-(See E-Mail)
- 10. E-mail from G. Mason RE: Eminent Domain (See E-Mail)
- 11. E-mail from Keith Dubas RE: Hotel Development -(See E-Mail)
- 12. Letter from Carol James RE: Woods Park Master Plan-(See E-Mail)
- 13. Letter from Michael James, President, Woods Park Neighborhood Assoc. RE: Opposed to the addition of three tennis courts on the proposed Woods Park Master Plan -(See Letter)
- 14. Letter from Ray Densberger RE: The Proposed Hotel -(See Letter)
- 15. E-mail from David Stempson RE: Eminent Domain-(See E-Mail)
- 16. E-mail from Jane Holt RE: Woods Park (See E-Mail)
- 17. E-mail from James Jenkins, D.D.S. RE: The property at 48th & "O" Street -(See E-Mail)
- 18. E-mail from Gail Steen RE: No Eminent Domain-(See E-Mail)
- 19. E-mail from Joseph W. Johnson, Jr. RE: Eminent Domain-(See E-Mail)
- 20. E-mail from Susan Asher RE: Eminent Domain-(See E-Mail)
- 21. E-mail from Beth Thacker, JAVA Citizen's Committee RE: Amendment to the Antelope Valley Revitalization Plan-(See E-Mail)

- 22. E-mail from Gavin Koehler, Concerned Student, UNL RE: Fairness, Samurai Sam's- (See E-Mail)
- 23. 18 E-Mail's from Pat Pena; Mark Holt; Mary Hawk; Jody Davis; Mike & Roxanne Bischof; Rick Bell; Kathy Jackson; George Wolf; Craig Ansbach; Bill Carter; Jose Soto; Ward Curry; Rush Free; Carol Petersen; Stephen Boyd; Steve Bowen; Garry Martin; Deb Kuwamoto; RE: Woods Park Master Plan -(See E-Mail's)
- 24. 14 -E-Mail's from Cathy Egbarts; Loraine Losser; Ryan Reinke; Lonnie Senstock; Jane Kinsey; Randy Musselman; Bill Byrne; Marvin Twersky; Barbara Morley; Alisha Lamb; Amy Kobza Deutsch; Connie Bundy; Frank Sidles; Nancy Cherrington; RE: Hotel block/Eminent Domain/Antelope Valley (See E-Mail's)
- 25. 4 -E-Mail's from Todd Wicken; Carol Rundquist; Susan Ringsmuth; Kent & Connie Suhr; RE: The proposed Wal-Mart at 84th & Adams -(See E-Mail's)
- 26. E-Mail from Carole Curry RE: Opposition to Woods Park -(See E-Mail)
- 27. 2 -E-Mail's from Ginny Wright; Patti Lynn; RE: The Smoking Ban -(See E-Mail's)
- 28. E-Mail from John Brown II RE: Requests on 05R-35, Approving a resolution directing the submission of a proposed General Obligation Bond Issue; 05R-40, Antelope Valley Redevelopment Plan for the East Downtown Hotel; 05R-43, Woods Park (See E-Mail)
- 29. E-Mail from Peter McShane RE: Woods Park -(See E-Mail)
- 30. E-Mail from Stephanie Dohner RE: Eminent Domain -(See E-Mail)
- 31. 2 -E-Mail's from Wayne Magdanz; Pam Magdanz; RE: Opposed to Tennis Courts -(See E-Mail's)
- 32. E-Mail from Charles Stalder RE: Eminent Domain & Smoking-(See E-Mail)
- 33. Letter from Maureen Honey RE: Eminent Domain (See Letter)
- 34. 6-E-Mail's from J.C. Hancock; Dorothy Duey; Kathie Antrim; Venita Steinbauer; Jerry Kosch; Jeanette Fangmeyer; RE: Eminent Domain (See E-Mail's)



VISORY MAYOR COLEEN J. SENG

fincoln,ne.gov

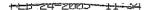
OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

DATE: February 23, 3005

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng will discuss the Stevens Creek Watershed Master Plan and the proposed downtown hotel project at a news conference at 10 a.m., Thursday, February 24 in the lobby outside the Mayor's Office on the second floor of the County-City Building, 555 South 10th.





NEWS RELEASE

MAYOR COLEEN J. SENG

incoln ne gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: February 24, 2005

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Nicole Fleck-Tooze, Public Works, 441-6173

PLAN RELEASED FOR STEVENS CREEK WATERSHED

Mayor Coleen J. Seng today released a plan to guide sustainable urban growth in the Stevens Creek Watershed east of the City. The Steven Creek Master Plan proposes long-term planning tools and improvement projects to address flood management, water quality and stream stability. The plan was a joint project of the City and the Lower Platte South Natural Resources District (LPSNRD) in cooperation with Lancaster County. The Stevens Creek Watershed is a 55-square-mile drainage area that extends to near 162nd Street.

"I want to thank all those who spent months developing this important plan for the future of the Stevens Creek area," said Mayor Seng. "We know that land development can have a significant impact on stormwater runoff as roof tops, parking lots and roads prevent rain from soaking into the ground. With a plan, we can avoid stormwater problems we have had in other parts of town. Our goal is to help reduce future flooding and erosion problems and maintain water quality in the streams and lakes in the area."

A 25-member Citizen Advisory Committee which developed the master plan met monthly beginning in April 2004. The public process, which began last September, included input from the Advisory Committee as well as three open houses, numerous interest group meetings, a newsletter and a Web site.

The master plan has four major elements:

- · floodplain management tools, including updated floodplain and floodway maps;
- capital improvement projects to address problem areas in the watershed;
- site-specific best management practices to offset the impact of urban development on stream stability and water quality; and
- the creation of opportunity areas where natural features overlap the east beltway corridor, existing or future trails, historic features and open space.

If adopted, the Stevens Creek Watershed Master Plan would become part of the Lincoln-Lancaster County Comprehensive Plan. The City-County Planning Commission will have a public hearing on the master plan at its meeting Wednesday, March 2. The master plan also will have hearings before the LPSNRD Board, the City Council and the County Board. The master plan is available on the Public Works and Utilities - Watershed Management page on the City Web site at lincoln ne.gov.

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: February 24, 2005

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Dallas McGee, Urban Development, 441-7857

MAYOR SENG OUTLINES BENEFITS OF HOTEL PROJECT

Mayor Coleen J. Seng today said the economy of the City would benefit from the downtown hotel project that is proposed for the Antelope Valley Project area. In response to the City's adoption of the Antelope Valley Redevelopment Plan last fall, hotel developer John Q. Hammons of Springfield, Missouri announced in December 2004 a proposal to build an \$18 million four-story, 150-room Residence Inn by Marriott® on the block bounded by 17th, 18th, "P" and "Q" streets.

"As the first major proposal for private investment in response to the Antelope Valley Redevelopment Plan, this hotel project would be a catalyst for the entire downtown area and would stimulate further private revitalization efforts," said Mayor Seng. "The hotel by itself is expected to generate an additional \$485,000 in tax revenue annually."

The City Urban Development Department said the additional tax revenues will come from three sources:

- \$220,000 in property taxes;
- \$55,000 in sales taxes; and
- \$210,000 in lodging taxes.

City officials said the project would have additional economic benefits:

- The proposed \$18.4 million construction project would increase sales tax receipts and benefit local suppliers and construction-related businesses and trades.
- The project is expected to create 100 full-time jobs, with an estimated annual payroll of more than \$2.25 million.
- Using the Nebraska Department of Economic Development estimate that each dollar spent by tourists generates an additional \$1.70 in local economic activity, spending by hotel guests would generate an estimated \$7.4 million of local spending.

The Antelope Valley project area was declared blighted by the City Council in July 2003. In November 2004, the Lincoln City Council approved the Antelope Valley Redevelopment Plan, which allows the City of Lincoln to work with private investors to build new projects in the area. Earlier this month, the Lincoln-Lancaster County Planning Commission advanced the hotel project to the City Council.

Hotel Project February 24, 2005 Page Two

If the project is approved by the City Council, John Q. Hammons Hotels will submit more detailed plans for the Residence Inn by Marriott® in response to a City request for proposals. Other developers could submit competing proposals for the same site, and the Mayor said the selection process will be open and competitive. Once a redevelopment agreement is negotiated with a developer and approved by the City Council, the City's role likely would be to assemble the land and assist businesses now on the block to relocate.

If the Hammons proposal is selected, he said he intends to break ground for the Residence Inn by July 2005.





NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

PUBLIC WORKS AND UTILITIES DEPARTMENT

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

FOR IMMEDIATE RELEASE: February 25, 2005

FOR MORE INFORMATION: Virendra Singh, Engineering Services, 441-7835

FINAL WORKSHOP TO SHOWCASE RECOMMENDED INTELLIGENT TRANSPORTATION SYSTEM PROJECTS

The final workshop on making travel in southeast Nebraska more safe, efficient and secure is set for 2 to 4:30 p.m. Thursday, March 3 at the Walt Branch Library, 6701 South 14th Street, in Lincoln. This is the fourth workshop of the 13-county Southeast Nebraska Regional Intelligent Transportation Systems (ITS) Architecture project. The draft report, developed by key officials from all 13 counties, will be presented.

"We have all contributed to the regional architecture that exists today," said Virendra Singh, Project Manager in the City Public Works and Utilities Department. "From this point, that architecture is dynamic and will be modified to reflect the ongoing needs of the region. Those who helped developed the plan will remain involved as advocates to support the implementation of ITS projects through collaboration and cooperation." Participants in the previous workshops have included transportation and school officials, office holders, law enforcement personnel and emergency services providers.

Singh said the presentation of the report will include discussion of the transportation needs in Southeast Nebraska, the ITS services addressing those needs and about 40 specific projects to implement the identified ITS services. He said the next step in the process is to have those involved incorporate the report into their agency's documents, which may include comprehensive plans, transportation improvement programs, capital improvement programs and plans addressing facilities, operations and emergency services.

The City of Lincoln is the lead agency for the project, which also is sponsored by the Federal Highway Administration, the Nebraska Department of Roads and Lancaster County. The other counties involved in the project are Butler, Cass, Gage, Jefferson, Johnson, Nemaha, Otoe, Pawnee, Richardson, Saline, Saunders and Seward. For more information, see the City Web site at lincoln.ne.gov (keyword: ITS) or contact Virendra Singh at 441-7835.



NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: February 25, 2005

Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng's Public Schedule Week of February 26 - March 4, 2005 Schedule subject to change

Saturday, February 26

- Funeral for Katherine Ackerson "Pat" Foote 2 p.m., First Plymouth Congregational Church, 2000 "D" Street
- Patriot's Dinner 7 p.m., Comhusker Hotel, 333 South 13th Street

Sunday, February 27

- Dash for Disabilities opening ceremonies, proclamation and remarks 12:30 p.m.,
 Nebraska Wesleyan University Knight Field House, 53rd and Huntington streets
- * "Night with Oscar" Make-a-Wish fund-raiser, remarks 7 p.m., Rococo Theatre, 140 North 13th Street

Monday, February 28

• Retirement reception for Lincoln Police Officer Dave Thurber - 2 p.m., Lincoln Police Department, 575 South 10th Street

Tuesday, March 1

- Thank You Teacher Breakfast, welcome 7:30 a.m., Governor's Residence, 1425 "H" Street
- Chamber of Commerce reception for Richard Bjorkland 4:30 p.m., Chamber of Commerce, 1135 "M" Street

Wednesday, March 2

- Read Across America 11:20 a.m., Hartley Elementary, 730 North 33rd Street
- Lincoln Independent Business Association 25th Anniversary celebration, proclamation 7 p.m., Comhusker Hotel, 333 South 13th Street
- Preservation Alliance of Lincoln annual meeting, awards presentation 8 p.m., Old City Hall, 920 "O" Street

Thursday, March 3

- Lincoln Chamber of Commerce State Forum lunch noon, Governor's Residence, 1425 "H" Street
- Women's History Month speech 3 p.m., Southeast Community College, room G1, 84th and "O" streets
- Leadership Lincoln Executive Series, remarks 6 p.m., cafeteria, State Capitol

Friday, March 4

Mayor's Community Conscience Award - 7:30 a.m., Embassy Suites, 1040 "P" Street



CAMPJON@aol.com

02/25/2005 06:04 PM

To: ifjenkins@unmc.edu

cc: jfram@lcoc.com, jray@ci.lincoln.ne.us (City Council)

Subject: Re: 48th and "O"

Dr. Jenkins:

Thank you for your thoughts on a new location for the Community Playhouse. This needs further consideration, especially in view of property taxation issues. Since the City has just purchased some properties for \$3.8 million, absent a significant donor, I am not sure how the economics of the land acquisition would occur, let alone construction of new facilities.

Please understand that I am not against the Community Playhouse. . .I patronize it often. . .but the citizens of Lincoln need to indicate their priorities.

One surefire way to expand our community programs, like the Playhouse, is to continue to grow our economic base and job opportunities so that we have a larger pool of both donor-sponsors for these charitable organizations, as well as a larger pool of citizens who will patronize and support such activities.

Again, thank you for your thoughtfulness.

Jon

Jon Camp Lincoln City Council City Council Office: 441-8793

Constituent representative: Darrell Podany



CC:

Subject: Downtown Hotel

---- Forwarded by Joan V Ray/Notes on 02/24/2005 03:52 PM ----



"Husker Fan" <gohuskersgo@hotma il.com>

02/24/2005 01:55 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Downtown Hotel

As a Lincoln resident I have heard that the City is planning on adding a hotel development to the downtown area. I also heard that the method the City is using to take over this property is simply not lawful. Now I am not privy to all the information surrounding this issue, but I have heard some rumors. One, which is probably not true, but has been floating around, is that the City will be paying current business owners \$10,000 plus a moving truck in order to offset the moving costs. I can't imagine this is true as it is completely absurd to even offer such a minuet amount of money - it's not even close to the property value! Anyway, with limited access to all of the information on this issue I do have my opinions on the situation. I try to analyze everything as subjectively as possible. Now I'm sure the \$10K is an under-exaggeration of the truth as that is very low, but I do have the feeling that some of the Eminent Domain Laws are being ignored, if not broken. Please let me know what you will do to either stop this or to guarantee that local business owners will in fact get what is fairly due to them.

I look forward to your quick response.

Express yourself instantly with MSN Messenger! Download today - it's FREE! http://messenger.msn.click-url.com/go/onm00200471ave/direct/01/

---- Forwarded by Joan V Ray/Notes on 02/24/2005 03:52 PM ----



"Jeff Lake" <rjl@kirkham.com> 02/24/2005 02:13 PM

To: <council@ci.lincoln.ne.us>

CC:

Subject: Samauri Sams / Antelope Valley Hotel Re-Development

Members of the Council-

My name is Jeff Lake, and I am a long time friend and former team-mate of Sean Wieting, owner of Samauri Sams located near 17th & P Street. It am also a licensed Professional Engineer and work primarily in land development. Some of my expertise resides in re-development projects, including deeming ground "blighted and sub-standard", tax-increment financing, and the power of eminent domain.

I understand the City (Urban Development, Planning Dept. etc.) has been

very vague regarding the relocation settlement for the existing landowners and tenants within the boundaries of the proposed hotel re-development. The number I have been hearing is a cap of \$10,000, but the City has been very indirect as to what the settlement offer actually is. I have heard that they have stated it is too early to determine an actual value and settlement. There apparently has been some discussion regarding relocation cost, but specifics have not really been answered. It does not appear to me that the City is willing to work with the Owners to come to a reasonable settlement. Condemnation seems to be eminent, which usually doesn't work out for anybody, either in time or in financial considerations.

Furthermore, I have been involved in an 80-acre commercial re-development in Omaha, NE, where the site was deemed "blighted and substandard" by the City Council. This re-development affected a prominent Omaha developer, resulting in an ugly law suit of the City by the opposition. The District Judge handling this suit ruled that the City did not follow proper procedures when blighting this area. He ruled the residents and land-owners within a few hundred feet of the proposed development, plus all taxing authorities such as the School District, Natural Resource District, etc., must be notified by certified mail in lieu of standard postal delivery alone, as there is no proof of the notification without the certified mail. The result: the project had to start all over again, going to Planning Board and City Council, causing approximately a 1-year delay. Point being, the City needs to be very careful in blighting an area for re-development, especially when there is strong opposition against the project. In addition, I am not aware of the City holding any public meetings to explain the project to the affected parties. I know Samauri Sams had to call in a favor from Congressman Tom Osborne to get a meeting with the Mayor to hear what is really going on. That just shouldn't have to happen.

In summary, it appears to me that there are a lot of unknowns with this project that should be answered before the City Council deems this area "blighted and substandard". I am certainly a proponent of re-development; it is my livelihood, but I do think the decision should be well planned and carefully implemented. I ask that the City Council lay this project over until all of the homework is done, such as reaching an agreement with displaced land-owners and tenants, making sure all notifications are completed property, and being assured the project is planned in accordance with all Nebraska Community Development laws and regulations. Once you clear the path for the City to use the power of Eminent Domain, I feel it will be difficult to stop the "Steamroller" from running over everything in its path. Thank you for you attention and time in this contentious situation.

R. Jeffery Lake, P.E. 411 South 13th, Suite 101 P.O. Box 83328 Lincoln, NE 68501-3328 402.598.2612

---- Forwarded by Joan V Ray/Notes on 02/24/2005 03:52 PM ----



pnovak@southeast.ed

To: oped@journalstar.com, council@ci.lincoln.ne.us

CC:

02/24/2005 02:43 PM

Subject: Hammonds Development

I am very much against the development of the new hotel as proposed by Hammonds. It just seems that there are several other locations that might serve the same purpose, and generate the same tax dollars projected without disrupting existing businesses and the owners that have spent a good deal of time and money to develop those businesses. To me this appears to be an enticement, that will NOT merit all that it is said to in the end.

---- Forwarded by Joan V Ray/Notes on 02/24/2005 03:52 PM ----



KEmerson@southeast.

To: council@ci.lincoln.ne.us

edu

02/24/2005 03:45 PM

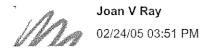
Subject: Eminent Domain and the proposed Hammonds Project

Dear Mayor Seng and Council Members,

I just want to let you know that I am opposed to the city using its power of eminent domain for this project. Even if the city feels the project would be beneficial, this power should not be used to assist private developers such as Mr. Hammonds. The process should be reserved for public projects. Taking the property in this way will not adequately compensate the small businesses involved who will be forced to suffer relocation expenses and downtime losses. Specifically, Samarai Sam's, because of its position as a lessee, will be forced to close its doors forever. Mr. Hammonds should be forced to negotiate a fair deal with the property owners and lessees directly, as a private business deal should be done.

Thank you.

Karen L. Emerson



CC:

Subject: Wal-Mart Proposal

---- Forwarded by Joan V Ray/Notes on 02/24/2005 03:54 PM ----



"Michael Lane" <mlaneus@earthlink.n

. cc:

To: council@ci.lincoln.ne.us

Subject: Wal-Mart Proposal

02/24/2005 03:24 PM Please respond to

mlaneus

February 24, 2005

I am writing to voice my concerns about the proposed Wal-Mart cite at 84th and Adams. I feel the location does not fit with the existing development in the immediate area. Several housing developments and Faith Lutheran church and school will be negatively impacted by the traffic flow, litter, noise and amount of activity a super Wal- Mart will create. The over 300 children that attend Faith School and Pre-school will be impacted by the security and safety concerns connected with the operation of a business open 24/7 and selling alcohol, tobacco and fire arms.

Please consider the impact on the neighbors and neighborhood. A better choice might be farther north where land has not been developed yet.

Thank You The Lane family,

Mike, Lori, Dylan and Ali Lane

Michael Lane

- --- mlaneus@earthlink.net
- --- EarthLink: It's your Internet.

---- Forwarded by Joan V Ray/Notes on 02/24/2005 03:54 PM ----



Tracy Rathe tracyrathe@yahoo.co m>

02/24/2005 03:29 PM

To: campjon@aol.com, amcroy@ci.lincoln.ne.us, council@ci.lincoln.ne.us, plan@lincoln.ne.gov, pnewman@ci.lincoln.ne.us, twerner@ci.lincoln.ne.us, jcamp@ci.lincoln.ne.us, ksvoboda@ci.lincoln.ne.us, gfriendt@ci.lincoln.ne.us, jcook@ci.lincoln.ne.us, mkrout@lincoln.ne.gov

CC:

Subject: WalMart proposal

Members of the City Council and Planning Commission,

I have two children, ages two and four, that attend Touching Hearts Early Childhood Center at Faith Lutheran School.

I am writing to you to express my concern over the possible construction of a WalMart Super Center west of Faith. My main concerns include traffic congestion near the intersection and on Adams Street leading to a safety risk for students, as well as unwanted traffic through the school parking lots.

Thank you for considering my concerns when making your decisions about the issue.

Tracy Rathe (402) 464-7822

Do You Yahoo!?

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Subject: Re: Hotel condemnation

---- Forwarded by Joan V Ray/Notes on 02/25/2005 09:49 AM ----

Joan V Ray

To: Darryll Pederson < dpederson 527@yahoo.com>

02/25/2005 09:39 AM

Subject: Re: Hotel condemnation

Dear Mr. Pederson: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Rav

City Council Office 555 South 10th Street Lincoln, NE - 68508

Phone: 402-441-6866 Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

Darryll Pederson <dpederson527@yahoo.com>



Darryll Pederson <dpederson527@yaho</p> o.com>

To: council@ci.lincoln.ne.us

Subject: Hotel condemnation

02/24/2005 08:13 PM

Lincoln City Council and Mayor 02/24/05

Greetings:

This email represents a notice to you as a group and individually that citizens of Lincoln are listening and talking about the taking of private property for a hotel. Last Sunday after church, our couples group went out to lunch as usual. We represent all walks of life in Lincoln, and the topic of discussion was the taking of private property. For once, the Republicans, Democrats, and Independents in our group were in full agreement. We found no reason that if someone wants to build a hotel that the city should get involved. If the owners of the property want to sell to the developer, so be it. If they don't want to sell, the developer could offer a higher price or look elsewhere. People at both my workplace and my wife's workplace were also unanimous in opposing city involvement in this issue.

Everyone is watching what the mayor and council will do. If you approve this taking by condemnation you can be sure that this issue will be remembered the next time there is an election. One phrase used in our discussions is "The Antelope Creek Massacre of the Natives." To us it intervention by the city represents a government running amok.

Antelope Creek is already a tremendous sore spot with the Lincoln citizen. We were not allowed to vote on it, there have been more than a few cases of heavy handed action, and because the "expected" funding is not coming from outside, basic city operations are suffering. You shouldn't have to call meetings to find out why bond issues are failing.

There is a well known saying- "When you find you are digging yourself into a hole the first thing you should do is stop digging." This would be a good time to stop digging. The citizens of Lincoln will be watching to see who keeps on digging and who stops.

Darryll and Theresa Pederson, 527 Rockhurst Dr., Lincoln, NE 68510- dpederson527@yahoo.com

Do you Yahoo!?

Yahoo! Mail - Find what you need with new enhanced search. http://info.mail.yahoo.com/mail 250

---- Forwarded by Joan V Ray/Notes on 02/25/2005 09:49 AM ----



Joan V Ray

To: "Kirk Bennett" <netbent@inebraska.com>

02/25/2005 09:41 AM

Subject: Re: Stealing Private Property

Dear K.A. Bennett: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray
City Council Office
555 South 10th Street
Lincoln, NE - 68508
Phone: 402-441-6866
Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Kirk Bennett" <netbent@inebraska.com>



"Kirk Bennett" <netbent@inebraska.c

To: "Dave O" <daoco@yahoo.com>, <council@ci.lincoln.ne.us>

CC.

Subject: Stealing Private Property

02/25/2005 12:03 AM

<?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />
It is wrong to take property from one citizen and give it to another.

It is wrong to take from the poor and give to the rich.

It is wrong to take property from small business and give to BIG Business.

It is wrong to support an out of town, greedy sum bag, who cares nothing about our community, over people who live here and care very much.

It is wrong to subvert The Constitution by acting quickly in advance of a Supreme Court decision on the rightful use of Eminent Domain.

It is wrong to be greedy for "expected" tax revenues while ruining the lives of good citizens who are delivering real receipts in an honest and legal way.

It is wrong to care nothing about the real jobs lost which this plan will replace with minimum wage-revolving door-immigrant exploitation jobs.

If you are for this action, then it is wrong that you are responsible for doing the right thing for the citizens of Lincoln, ...but, sadly, we are used to that. This one wonders how long you can trade favors for favors. This one wonders how long before the rest of the voting population looks upon everything you do as suspect, as I do.

Do the right thing!!! If for no other reason than that it's the right thing to do. Be good for goodness sake. Is that a lame appeal to make to you people who have, in the past, betrayed our best interests, our constitutional rights, our belief in Capitalism, and our want and need for the freedom of individual choice, so many times?

I hope not.

Do the right thing!

Don't take The American Dream away from these local small business people in favor of this out of state billionaire who cares nothing about this town except how he can exploit it, in the tried and true methods he has developed in his long life, which hopefully, will soon come to an end.

Do the right thing! Support Lincoln business, not big money corporate rape which will only leave Lincoln poorer in the long term. For once, DO THE RIGHT THING!!!!

K.A.Bennett 3728 W St. Lincoln NE 68503-2742



To: "Jo Ann" < ifrazell@alltel.net>

CC:

Subject: Re: Eminent Domain

Dear Jo Ann: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office

555 South 10th Street Lincoln, NE - 68508

Lincoln, NE - 68508 Phone: 402-441-6866 Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Jo Ann" <ifrazell@alltel.net>



"Jo Ann" <ifrazell@alltel.net> 02/25/2005 12:37 AM

To: <council@ci.lincoln.ne.us>

CC:

Subject: Eminent Domain

The City of Lincoln should not get involved with buying property for resale to private parties. John Q. Hammonds should buy property on his own and pay fair market value to property owners and businesses located on the blocks he desires to purchase. This practice is very unfair to property and business owners and is an abuse of eminent domain for private use. How can property be considered blighted when it has profitable and attractive businesses in operation? Eminent domain needs to be exercised very judiciously with greater consideration for the citizens of Lincoln--especially business and property owners directly affected. They should not have to suffer financial losses due to eminent domain. It is not the American way--nor should it be the Lincoln way!

Having been acutely aware of the recent exercise of eminent domain involving the purchase of the property north of the City-County building for the new parking garage, I have never understood how it was fair for White Electric and Clover Auto to receive over \$1 million each, but the owner of the property housing Rent-A-Wreck and Bone Appetit, nearly 1/4 of a block, received considerably less than 1/2 million. Granted his property was slightly less square footage than the other two mentioned, but it was not half the size of the others! He had put considerable work into making both of those buildings more attractive and put to good use, as they had previously been unoccupied for some time. It seems that the rich and influential get paid more and the little guy gets cheated! That was a very unequitable purchase by the city.

On another matter, I am very concerned about the 20- to 25-year development plan for the city. I have not yet seen any of the plans put into any kind of priority order and with consideration of funds available to purchase property. It appears that there is a grandiose plan without consideration to those projects which could bring profits to the city, such as a new arena center. I am also concerned that plans to purchase the land where the current post office is will be very costly and put huge amounts of traffic and parking needs into one small area of the city. What if there are events at the Devaney Center, the Lied Center, the ballpark, and the football stadium at the same time, not to mention the new Grand Theatre, etc.? It could happen, and where will all of the cars park? How will the traffic flow in a timely fashion and with public safety in mind with several events located in a relatively small area at once? There were recent concerns aired about pedestrian safety in the downtown area. How are those concerns addressed with the plan? I do not understand the importance to locate an arena near the University. It does not make sense to me when you consider parking, traffic flow, and public safety when there is already congestion in that area.

---- Forwarded by Joan V Ray/Notes on 02/25/2005 09:49 AM ----



Joan V Ray

To: GMason@southeast.edu

CC:

02/25/2005 09:43 AM

Subject: Re: Eminent Domain

Dear G.Mason: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office 555 South 10th Street

Lincoln, NE - 68508 Phone: 402-441-6866 Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

GMason@southeast.edu



GMason@southeast.ed

To: oped@journalstar.com, council@ci.lincoln.ne.us

cc:

02/25/2005 08:22 AM

Subject: Eminent Domain

Please do not abuse your power of eminent domain. The last time I checked, eminent domain meant for PUBLIC use----not a private hotel.

Here are some options:

- 1. Build the hotel at 48 & O. That land isn't being used.
- 2. If a hotel is built, there should be residuals from the hotel profits to the business owners that are being run out.

---- Forwarded by Joan V Ray/Notes on 02/25/2005 09:49 AM ----



Joan V Ray

To: "Keith Dubas" <kwdubas@navix.net>

02/25/2005 09:44 AM

Subject: Re: Hotel Development

Dear Mr. Dubas: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Keith Dubas" <KD51303@navix.net>



"Keith Dubas" <KD51303@navix.net>

02/25/2005 09:14 AM Please respond to "Keith Dubas" To: <council@ci.lincoln.ne.us>

CC:

Subject: Hotel Development

Dear Council Members:

While I'm a supporter of the Antelope Valley Project, I am very troubled by the possible acquisition of private property by the City through the use of eminent domain to turn the land over to a private developer: regardless of the additional taxes that might be generated by a new hotel. (I'm aware of the current court case before the Supreme Court). The current property owners of the block in question operate viable businesses and have use for these properties. Any negotiations for sale on properties that are not derelict should take place directly between owner and potential buyer. If this property was abandoned property or an eyesore than the use of eminent domain might be appropriate, but it is not in this particular instance.

Please consider my comments as you weigh this issue, as I believe it will set a precedent and serve as a threat to local, current property owners: a warning that your property can be acquired over your objections even if you are operating within your legal rights.

Yours truly,

Keith Dubas

City Council Members:

I am enclosing a letter that was submitted to the Parks and Recreation Advisory Board. I am doing this to give you a little background about the Woods Park Master Plan Committee. I was one of several people that participated in that process. I was pleased for the opportunity. At the end of the last meeting I asked, "What was the point of this process?" The proposed master plan is not the recommendation of the people that were on the Committee. That is why we asked that it be taken to City Council for hearing.

I hope that you understand that this is not an attack on the game of tennis, or on the Wood's Tennis Club. I think it is a fine game, and I am sure that many wonderful people belong to this club. It is not that we dislike sports or athletics. This is about preserving what is left of the green space in this much beloved park. I would ask that you drive down O Street this weekend. Look at the construction zone of the Health Dept. expansion. Please try to remember the green vista that was in this space. I thank you for your consideration.

Sincerely,

Arrig. Sport

AECEIVEL FEE 2 5 2001 TITY COUNCE



Members of Parks and Recreation Advisory Board:

Just to provide some background on the Woods Park Master Planning Committee. In the summer of 2004, the Parks and Recreation Department initiated a review and update of the Master Plan for Woods Park, with the encouragement of members of the Parks Committee. (This is a sub-committee of the Woods Park Neighborhood Association). We were pleased to participate.

July 15, 2004- The date the general public meeting was held. Everyone in attendance was invited to participate on a committee to work on the Woods Park Master Plan. Many in attendance, including most members of our Parks Committee, signed up to be part of The Master Plan Committee.

August 12, 2004- The Woods Park Master Planning Committee met for the first time. J.J. Yost was leading the group discussion. He asked the group what they thought about the tennis courts? Were they needed? This was in reference to the plan that shows an additional three courts at the Southern end of the tennis facility. There was agreement from all present that they should be left off the plan. There was not anyone at this meeting that spoke in favor the tennis courts being left on the plan.

September 9, 2004- The Woods Park Master Planning Committee met for the second time. There was a large map displayed that did not include the three tennis courts. We were told that the Parks Department would "tweak" the plan and present it to The Parks and Recreation Advisory Board. A few members of the planning committee asked that another meeting be held so that we might see the plan.

October 14, 2004- The Woods Park Master Planning Committee met for the third time. Many of us were very surprised and dismayed by the new Master Plan map. It had the previously removed tennis courts back on the plan. This was an entirely different plan. We were told that if we did not endorse this plan it would be necessary that it go to City Council. We did not approve this plan. We told them that they would have to take it to City Council. I would like you to know that this Master Planning Committee included not only Woods Park Neighborhood Association board members, but also representatives from the Witherbee Neighborhood Association and other members of the community. Members of the Woods Tennis Association were also at this meeting. They said that they see a need, someday, for additional courts for regional tournaments. There are other improved surface courts in Lincoln that could be used. We feel they should pursue this.

It has been suggested that a better use of this space might be a few picnic tables that could be used by everyone, including families of tennis players when they visit Woods Park. We are very interested in keeping the park a natural and green space.

Residents of the community around Woods Park feel that they are denied free

access to much of this public park. During the last few years the rose garden was removed. The picnic shelter was demolished and not replaced. Wesleyan ball field built and locked up from use by the public. Land was taken for the Health Department expansion. Since 1992, when the last Master plan was approved by City Council, we have been fenced out or denied free access to a large part of this park.

Woods Park is a Community Park. These parks are to serve residents within a two mile radius in the city. This is based on the City/County Comprehensive Plan. The community around the park has said they do not wish these courts to be included in the Master Plan.

Thank you for consideration.

Respectfully,

Co-Chairs WPMA Parks Committee

Cc: Lynn Johnson, Director Parks and Recreation Department Fred Freytag, President Witherbee Neighborhood Association City Council Members

AECHVEL

FER 25 2001

. 45 5. 28^{1h} St (6.8510-1320)

February 24, 2002

Members of the City Council,

The Woods Park Neighborhood Association is opposed to the addition of three tennis courts on the proposed Woods Park Master Plan.

Woods Park is a community park, designed to serve a two mile radius of the community. This is clearly stated in the Lincoln-Lancaster comprehensive plan, updated 2002, and passed by City Council.

Fifteen tennis courts are already located at Woods Park. Large white bubbles are erected over six of the tennis courts. There is an extremely large swimming complex next to the tennis clusters. The ball diamond was enlarged and leased to Weslyan University. It is no longer available for resident's use. A large section of land has been lost to current Lincoln-Lancaster Health Department expansion.

While the proposed master plan for Woods Park reserves a section of land for three new tennis courts to be constructed when funds are available. If this plan is approved, it assures that one day this development will happen. The overwhelming desire of this neighborhood and community is for this space to be kept green and natural. Some have suggested a picnic table or two.

The Tennis Association has stated that the desire for three additional tennis courts is primarily for tournaments. There are sufficient tennis courts located throughout the city to allow tournaments. Many tournaments are held with play taking place at more than one location. Taking additional green space away from Woods Park just for the convenience of being able to play in one centrally located area is not a justification for paving over more of Woods Park

Park land in urban core city is a very valuable resource. We are very concerned about the loss of natural green park space that is being paved over in Woods Park. The Woods Park Neighborhood Association asks that the three additional tennis courts be removed from the Woods Park Master Plan.

Respectfully,

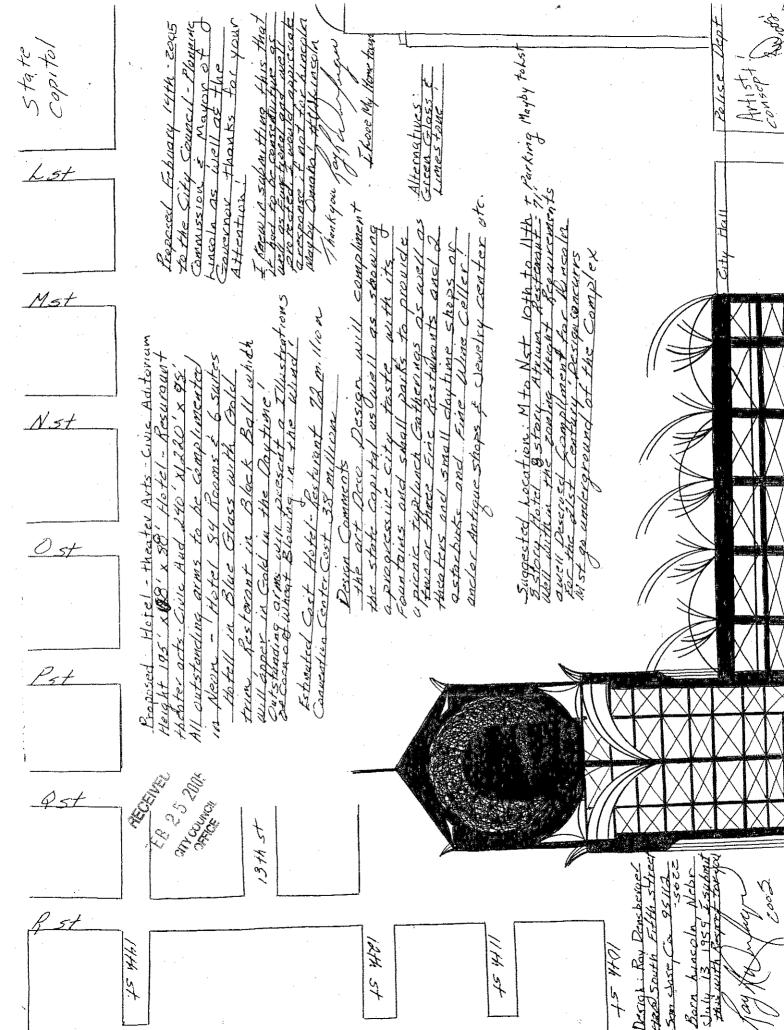
RECEIVED

FEB 25 2005

OTTY COUNCE

Michael James, President

Woods Park Neighborhood Assoc





Joan V Ray

To: CouncilPacket/Notes@Notes

02/25/05 01:21 PM

Subject: InterLinc: Feedback

---- Forwarded by Joan V Ray/Notes on 02/25/2005 01:24 PM ----

Diane K Gonzolas

To: Joan V Ray/Notes@Notes, mayor@lincoln.ne.gov

CC.

02/25/2005 11:24 AM

Subject: InterLinc: Feedback

--- Forwarded by Diane K Gonzolas/Notes on 02/25/05 11:26 AM ----



Heather M Bennett

To: Diane K Gonzolas/Notes@Notes

CC:

02/25/05 11:23 AM

Subject: InterLinc: Feedback

Heather 402.441.8602

---- Forwarded by Heather M Bennett/Notes on 02/25/2005 11:26 AM ----



DO NOT REPLY to this-

To: Web Assistant <webhelp@lincoln.ne.gov>

InterLinc

<none@lincoln.ne.gov Subject: InterLinc: Feedback

CC:

02/25/2005 11:11 AM

InterLinc: Feedback

Name:

david stempson

Addr:

235 piazza terrace

Location: Lincoln, NE

Phone:

489-7997

Fax: Email: Comments:

Em Domain should be used solely for govt projects and not for the govt to take and then give to private concerns. The ownership of private property should take precedence over tax revenue. The Constitution must be strictly interpreted and, if not, this kind of taking (Hotel/private ownership) violates the very core of our Republic. Please stop this violation now and in the future.



Joan V Rav

02/25/05 01:22 PM

To: CouncilPacket/Notes@Notes

Subject: Woods Park

---- Forwarded by Joan V Ray/Notes on 02/25/2005 01:26 PM ----



DO NOT REPLY to this-InterLinc

To: General Council <council@lincoln.ne.gov>

<none@lincoln.ne.gov Subject: InterLinc: Council Feedback</pre>

02/25/2005 01:24 PM

InterLinc: City Council Feedback for

General Council

Name.

Jane Holt

Address: 3448 Woods Ave

City:

Lincoln, Nebraska 68510

Phone:

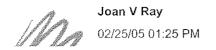
477-7467

Fax:

Email: jholt@lps.org

Comment or Question: Dear Council Members,

For the past 25 years, I've had the pleasure of calling some of Lincoln's older neighborhoods "home." On Monday, I'd like you to to cast a vote for the Woods Park neighborhood by removing the three proposed tennis courts from the Master Plan. Preserving community green space in the city's core is good public policy. The park has already made room for plenty of athletic facilities as well as an expanded Health Department. Now it's time to preserve the rest of it for the people. Thank you for your consideration. Jane Holt



CC:

Subject: 48th and "O"

---- Forwarded by Joan V Ray/Notes on 02/25/2005 01:28 PM ----



jfjenkins@unmc.edu 02/25/2005 11:47 AM

To: ifram@lcoc.com, campjon@aol.com, council@ci.lincoln.ne.us

CC:

Subject: 48th and "O"

Dear Lincoln Leadership:

Just a quick e-mail to put in my two cents worth regarding the property at 48th and "O" that everyone is talking about.

If you folks still have discussions about this, my idea was to use the area for a new location for the Lincoln Community Playhouse. I have no connections with them, but I have grown up in Lincoln. If it could be worked out, a new state-of-the-art attractive building with theatrical stage and auditorium, offices, parking, etc. would be a nice welcome addition to that now-blighted area, perhaps on the SE section of that land. Hopefully, the Playhouse would also buy into this idea, selling their current location on 56th Street in favor of a larger, beautiful building in a more centralized area to further enhance and promote excellent productions in Lincoln, something I'm sure our community would embrace. I have a feeling the citizens of Lincoln would overwhelmingly support the Playhouse and this potentially wonderful addition to our city, to enhance our cultural, artistic, and entertainment options.

I am reminded of the very nice facilities the Omaha Playhouse enjoys that we could have here and I am confident Lincoln is ready for and would sustain a new Lincoln Community Playhouse at the 48th and "O" location.

Thank you, and I appreciate the work you folks do for our fine city.

Sincerely,

James Jenkins, D.D.S.

Dr. James Jenkins

Dept. of Adult Restorative Dentistry

472-4099



CC:

Subject: Eminent Domain

---- Forwarded by Joan V Ray/Notes on 02/25/2005 01:33 PM ----



CConnors@southeast.

To: council@ci.lincoln.ne.us

CC:

02/25/2005 12:45 PM

Subject: Eminent Domain

I would like to voice my opinion that using eminent domain as an excuse to obtain developed private property to sell or give to a private developer for personal profit is an abuse of power. It is especially wrong when the final project will not necessarily benefit the majority of citizens. Too often a law or right that was developed with the objective of helping the general public is used by a small group of people for its own gain. I do not see how that can possibly be a part of the democratic process that is suppose to quide our local government.

---- Forwarded by Joan V Ray/Notes on 02/25/2005 01:33 PM ----



"Kent and Gail Steen" <steen@neb.rr.com>

To: <mayor@ci.lincoln.ne.us>, <council@ci.lincoln.ne.us>

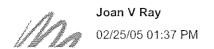
CC:

02/25/2005 01:18 PM Please respond to steen Subject: no emminent domain

I am writing to strongly urge the council not to use its emminent domain powers for the advancement of any private business, regardless of any perceived benefit to the city. Emminent domain is properly used to assist the city in acquiring land for the city. It is innappropriate and unethical to use it to assist one big business at the cost of another, smaller business. If Marriott wants to build here, let them buy the land at an arms length negotiation, not as a sweetheart deal with the city. It is ridiculous of the city to consider destroying small businesses in the hopes a larger company might fulfill its musings of "wouldn't it be nice". The city needs to learn from its own history that not all developers fulfill vaguely worded hints of development, and the city should not take property from existing businesses to lure someone else in.

Thank you for voting NO on emminent domain.

Gail Steen 3636 L Street Lincoln



Subject: FW: Eminent Domain

---- Forwarded by Joan V Ray/Notes on 02/25/2005 01:40 PM ----



"John Schmitz" <heyriders@hotmail.co</pre>

02/25/2005 01:38 PM

To: council@ci.lincoln.ne.us cc: iwijr@concentric.net Subject: FW: Eminent Domain

I AGREE WHOLEHEARTEDLY WITH MR. JOHNSON AND LEAVE FURTHER COMMNENTS AT THE END.

>To: council@ci.lincoln.ne.us >Subject: Eminent Domain

>Date: Tue, 22 Feb 2005 01:31:54 -0600

>Members of the Council:

>I appeal to you, at this eleventh hour, to reconsider the path you >and the mayor are following, namely, using the power of government >to transfer property ownership from one private individual to >another.

>Before you on the 28th is the decision to subordinate the best >interests of individual Lincoln citizens and property owners to the >financial ambitions of an octogenarian, who is not a Lincoln >citizen, to allow city government to enter the real estate business >on a wholly one-sided basis instead of requiring the outsider who >covets particular properties to negotiate, successfully or >unsuccessfully, the purchase of real estate.

>

>Consider the context in which you must reach a decision. The United >States Supreme Court is now contemplating whether your power is or >is not limited by the 5th Amendment to the Constitutive. Obviously, >the Court is not looking specifically at the Lincoln City Council, >our mayor or bureaucrats in Lincoln government. But the Court's >decision will directly affect Lincoln -- and you.

>I realize that some among you will feel that you must act quickly >just in case the Court rules against what John Stossel of >television's 20/20 terms "The Conceit of the Anointed." Stossel >refers to elected officials like you, most of whom consider

>themselves smarter and wiser and more visionary than ordinary
>citizens -- and property owners -- because you somehow were elected
>to public office (OK, you raised enough money to get yourselves
>elected and made behind the scenes deals to get the support of
>left-wing or right-wing godfathers/mothers who could deliver the
>votes). But that's fair and it's the American Way, right? You have
>been anointed and now know better what is best for Lincoln than all
>Lincoln citizens -- or most Lincoln citizens.

>

>I appeal to you for fairness. Shake off the anointment -- the >elected representatives of the "people" -- and consider simple >fairness, not to mention the 5th Amendment.

>

>On the 28th, you should care not about your perception of "public >use" as equal to "public good" but to what is fair and responsible >as elected public officials. At the very least, you should defer a >decision to support the out-of-town billionaire (He did not vote for >any of you, right? And he didn't contribute to any of your election >campaigns, right?) until the United States Supreme Court issues its >ruling.

>

>Be cautious, ladies and gentlemen. I -- and so many others -- will >be watching your votes on this issue very carefully. Over three >hundred Lincoln citizens on my mailing list will receive copies of >this letter to you. If you sacrifice Lincoln property owners to the >interests of some "expert" from out of town, it will be remembered >and you will be rewarded. I am sure of it. It will be like a chain >letter -- and they are annoying, aren't they?

>

>This is not a threat but an appeal. Your billionaire from
>out-of-town, as Ms. Winter of the Lincoln Journal Star wrote so
>effectively in the Sunday edition, is perfectly willing to take his
>money to some other town of Lincoln's size, and invest it there. He
>does not care where he makes money -- just that he makes money. He
>could care less about Lincoln. He just wants money. And he wants
>you to make it happen, dangling the promise that the taxes he will
>pay will be greater than the taxes Lincoln residents' pay. It seems
>to me that your obligation is to Lincoln residents and property
>owners, not to some guy who enriched himself by buying the Embassy
>Suites property for a fraction and found a community with a clueless
>mayor and City Council stupid enough to let him get away with it!
>(Your predecessors -- except for former Council member Seng!)

>

>Anyway, be thoughtful -- not anointed. Act for Lincoln citizens and >property owners. Not some grand scheme that may never happen.

```
>This guy watched Lincoln botch Block 35 and then facilitate The
>Grand -- and soon, Antelope Valley. He's shrewd -- and you and the
>mayor are being screwed. And we taxpayers are, too. Thanks so much
>for representing the expert from out of town and not the citizens
>who elected you!
>
>Joseph W. Johnson, Jr.
>2800 Woods Boulevard, No. 908
>Lincoln, NE 68502-5844
>
>402-423-1447
>
```

I HOPE AND PRAY YOU WILL CONSIDER CAREFULLY THESE POINTS. IT SEEMS LIKE SOME PEOPLE THINK THAT THE QUALITY OF LIFE IN LINCOLN IS REFLECTED BY COMMERCIAL DEVELOPEMENT AND NOT BY THE CITIZENS OF LINCOLN. IT IS THE CITIZENS THAT MAKE THIS CITY WHAT IT IS.

John Schmitz 1920 C Street Lincoln, Ne, 68502



Joan V Ray

02/25/05 02:18 PM

To: CouncilPacket/Notes@Notes

CC:

Subject: Re: eminent domain

---- Forwarded by Joan V Rav/Notes on 02/25/2005 02:21 PM ----

Joan V Ray

To: sasher@southeast.edu

CC:

02/25/2005 02:17 PM

Subject: Re: eminent domain

Dear Ms. Asher: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

Phone: 402-441-6866 Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

sasher@southeast.edu



sasher@southeast.edu

To: council@ci.lincoln.ne.us

CC

02/25/2005 02:15 PM

Subject: eminent domain

I am totally not in support of eminent domain. It is the issue of the small hard working businesses, that loose once again and the multimillion dollar emphires keep on taking. What ever happened to the philiosophy Lincoln is a great place to live and build a business? That is exactly what these business owners have done and now what are they to do? I ask that over and over what are they do do???? No money for them, their hard work, and most importantly their families. Isn't that too what raising a family in Lincoln is all about??????

I am really anray that this is even an issue to be dealt with. I will be in attendance at the Coucil meeting on Monday evening to show my support to the small business owners. That should count in the grand city of ours.

Susan Asher 2320 Calvert Lincoln, NE 68502



Joan V Ray

02/25/05 02:43 PM

To: CouncilPacket/Notes@Notes

Subject: Re: City Council Members - please distribute!

---- Forwarded by Joan V Ray/Notes on 02/25/2005 02:46 PM ----



Joan V Ray

To: Dnthlynn@aol.com

02/25/2005 02:42 PM

Subject: Re: City Council Members - please distribute!

Dear Ms. Thacker: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Rav City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

Dnthlynn@aol.com



Dnthlynn@aol.com

To: council@ci.lincoln.ne.us

02/25/2005 02:37 PM

Subject: City Council Members - please distribute!

February 25, 2005

To: Lincoln City Council

From: Beth Thacker

JAVA Citizen's Committee

Re: Amendment to the Antelope Valley Revitalization Plan

Dear City Council Members:

I am writing in regards to the proposed amendment to the Antelope Valley Revitalization Plan.

I would like to see this amendment approved, as I feel it fits very closely to the vision planners have for this area of the Study and would serve to jump-start other developments.

My several years of serving on the JAVA Citizen's Committee has convinced me that the Antelope Valley Board, and other entities involved, have gone the second mile to solicit, and incorporate, input from the general public in all phases of the project thus far. I have also seen the extent to which the Revitalization Team has acted to make sure that any property owners displaced to this point have been "made whole". I feel this same care to process is going on right now in dealing with the owners/tenants in the area targeted in the proposed Amendment.

In all honesty, I have to admit to an uncomfortable feeling when government is given permission to "take" personal property. That feeling is allayed somewhat when the "taking" is for the public need or good, e.g. roads, parks, etc. The feeling is heightened, however, when the "taking" is for a private developer who stands to benefit personally without having to go through the process of dealing with each property owner individually, which normal circumstances would dictate.

However, the whole intent of the Antelope Valley Revitalization Plan is to revitalize an area of town that has officially been declared blighted. At this time, revitalization of a blighted area is considered to be in the public good. Until a higher court overturns that inclusion, then the request for Power of Eminent Domain would be appropriate. Therefore, it would seem to me to be consistent with previous actions were you to pass this amendment, thereby giving the City the wherewithal to pursue this Revitalization Plan in a timely manner.

Thank you for your consideration in this matter.

Sincerely,

Beth Thacker



Joan V Ray

02/25/05 04:03 PM

To: CouncilPacket/Notes@Notes

CC

Subject: Re: Fairness, Samurai Sams

---- Forwarded by Joan V Ray/Notes on 02/25/2005 03:54 PM ----

Jo na

Joan V Ray

To: Gavin Koehler < gkoehler@gmail.com>

CC:

02/25/2005 03:50 PM

Subject: Re: Fairness, Samurai Sams

Dear Mr. Koehler: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Rav

City Council Office 555 South 10th Street Lincoln, NE - 68508

Phone: 402-441-6866 Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

Gavin Koehler < gkoehler@gmail.com>



Gavin Koehler <gkoehler@gmail.com

To: council@ci.lincoln.ne.us

CC:

Subject: Fairness, Samurai Sams

02/25/2005 03:32 PM Please respond to Gavin Koehler

Council:

I am writing in regard to your plans to relocate Samurai Sam's. From what I have read and heard, the owner of this establishment faces the real possibility of losing his business and his home.

I urge you to look at the information again, and keep free enterprise and capitalism in mind. Many students I know enjoy the restaurant, and its location should be up to the owner to decide.

Sincerely, Gavin Koehler Concerned Student, UNL



Joan V Ray

02/28/05 11:59 AM

To: CouncilPacket/Notes@Notes

Subject: Fw: WOODS PARK MASTER PLAN

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



"Patte Newman" <newman2003@neb.rr. com>

To: <JRay@ci.lincoln.ne.us>

CC:

Subject: Fw: WOODS PARK MASTER PLAN

02/25/2005 04:50 PM

For the Council

---- Original Message -----

From: Pena, Pat

To: pnewman@ci.lincoln.ne.us

Sent: Friday, February 25, 2005 8:59 AM Subject: WOODS PARK MASTER PLAN

Dear Ms. Newman.

I live at 3260 Randolph Street and I am very much against expanding Woods Park with three more tennis courts. I bought my house 6 years ago and it was quiet, now it is congested and noisy and I can't get around my own neighborhood. Please do not expand.

I would be at the meeting but it is on the last day of the month and I have to work late or else I would be there to stand up for my neighborhood.

Thanks Pat Pena

No virus found in this incoming message.

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Version: 7.0.300 / Virus Database: 266.4.0 - Release Date: 2/22/2005

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



"Patte Newman" <newman2003@neb.rr. To: <JRay@ci.lincoln.ne.us>

com>

Subject: Fw: Woods Park

02/25/2005 04:52 PM

For the Council:

---- Original Message ----

From: Mark Holt

To: pnewman@ci.lincoln.ne.us

Sent: Friday, February 25, 2005 12:56 PM

Subject: Woods Park

Dear Ms. Newman,

As a lifelong Lincoln resident, it breaks my heart to see Woods Park nickle and dimed to death. Several years ago the Wesleyan baseball field made its new home there, much to the disappointment of many nearby residents. Now it's happening again with the new health building along "O" Street. The latest threat to the park's open green space is the plan to build three more tennis courts, chipping away still more of the park's geography. Tennis fans are already well served by the many courts currently on the site and others around the city. I urge you to vote "no" on more courts for Woods Park. It is an endangered Lincoln gem with a finite area, and deserves your protection.

Sincerely,

Mark Holt 3448 Woods Ave. Lincoln NE 68510 mholt@lps.org

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Version: 7.0.300 / Virus Database: 266.4.0 - Release Date: 2/22/2005

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



"Patte Newman" <newman2003@neb.rr.

To: <JRay@ci.lincoln.ne.us>

CC:

Subject: Fw: Woods Park Master Plan

02/25/2005 05:02 PM

For the Council:

---- Original Message ----

From: Mary Hawk

To: pnewman@ci.lincoln.ne.us

Sent: Friday, February 25, 2005 9:39 AM

Subject: Woods Park Master Plan

February 25, 2005

Dear Councilwoman Newman,

The February 28 City Council meeting agenda includes discussion of an updated Comprehensive Master Plan for Woods Park. As a resident of Woods Park I am apposed to the proposed addition of three tennis courts and ask for your support in rejecting this aspect of the Comprehensive Master Plan for Woods

Park.

I believe that devoting this space to the additional tennis courts, which will primarily serve as a site for tournaments for all-city and out of the city participants, is not in keeping with the city's definition of a Community Park. Woods Park is already extensively developed for sports activities, seriously compromising the character of a Community Park. If the additional courts are allowed in the plan an additional 45% of the entire open green space in the south part of the park next to a historic residential neighborhood would be removed. This smaller space would seriously limit the ability of the Parks & Recreation Department to buffer the neighboring residences from additional traffic, parking, noise, and litter in the Woods Park Historic Bungalow District and would make the park permanently less attractive as a park.

The open space in Woods park is used extensively by the residents in the neighborhood. I ask that you help ensure this space remains available.

I appreciate your consideration.
Mary Hawk
641 South 30th Street
Lincoln, NE 68510
742-9842
mhawk1@alltel.net

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Version: 7.0.300 / Virus Database: 266.4.0 - Release Date: 2/22/2005

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



"Carl" <cDavis13@neb.rr.com To: <council@ci.lincoln.ne.us>

cc:

Subject: woods park tennis courts

02/26/2005 03:26 PM

i do not want any more tennis courts put in woods park. i see no need for it and we already have enough. please accept my vote against any more tennis courts. JODY DAVIS

3120 RANDOLPH ST LINCOLN NEBRASKA 68510-1458

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



Bisc329@aol.com 02/26/2005 10:12 PM To: Council@ci.lincoln.ne.us cc: Bisc329@aol.com Subject: Woods Park Master Plan

Council Members,

We are very concerned with how Woods Park seems to be disappearing. With what has already happened with the Wesleyan baseball park, the Spray Ground and now the Health Department

building it is very disheartening to think of more of the park being lost to additional tennis courts.

Since we live in this neighborhood, we are not only looking at losing use of part of the park, but also looking at the additional traffic, trash and parking concerns that the proposed tennis courts will bring.

Woods Park is a beautiful city park in the middle of a residential area and we would like it to remain that way. If we continue to chip away at the park, soon it won't be there for the public to enjoy. We've already lost the rose garden and can no longer use the ball field....let's not lose any more of this park that we will never be able to replace.

Sincerely, Mike & Roxanne Bischof 329 South 29th Street

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



"Rick Bell" <rbell@artfxscreenprin ting.com>

To: <council@ci.lincoln.ne.us>

cc:

Subject: Additional tennis courts at Woods Park

02/27/2005 09:26 AM

Members of the City Council:

Regarding the proposed addition of three tennis courts to Woods Park, I wish to have two questions answered.

- 1. Why is it that cars illegally parked during home football games are aggressively ticketed, towed and impounded while this same offense is routinely overlooked during large competitions at Woods Park?
- 2. Why is it that land donated to the city for the enjoyment of all Lincoln citizens is being built on by the city and then leased to private institutions and organizations for their own benefit and profit?

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



"Rick Bell" <rbell@artfxscreenprin ting.com> 02/27/2005 09:28 AM To: <council@ci.lincoln.ne.us>

CC:

Subject: FW: Additional tennis courts at Woods Park

----Original Message----

From: Rick Bell [mailto:rbell@artfxscreenprinting.com]

Sent: Sunday, February 27, 2005 9:27 AM

To: 'council@ci.lincoln.ne.us'

Subject: Additional tennis courts at Woods Park

Members of the City Council:

Regarding the proposed addition of three tennis courts to Woods Park, I wish to have two questions answered.

- 1. Why is it that cars illegally parked during home football games are aggressively ticketed, towed and impounded while this same offense is routinely overlooked during large competitions at Woods Park?
- 2. Why is it that land donated to the city for the enjoyment of all Lincoln citizens is being built on by the city and then leased to private institutions and organizations for their own benefit and profit?

Rick Bell

615 Elmwood Avenue.

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



Kathy Jackson <kj60028@alltel.net>

02/27/2005 10:01 AM Please respond to kj60028 To: Kathy Jackson <kj60028@alltel.net>, council@ci.lincoln.ne.us, jcook@ci.lincoln.ne.us

CC:

Subject: Woods Park Master Plan

I am writing to express my opinion on the Woods Park master plan that is coming before the City Council. Specifically the issue of the tennis courts.

After all of the hand wringing that went on over the renovation of the ball field I have to say that I don't agree with all of the reasons cited by the neighborhood associations in opposition to the tennis courts but I am still opposed. I live at 611 South 32nd Street, one house away from the corner with a birds eye view of the proposed site, the pool and the ball field. I have not noticed a huge increase in traffic, trash etc from the renovation of the ball field and the small

amount of announcing that goes over the speaker is nothing compared to the pool blaring out all summer. Light pollution is another matter. The existing courts sometimes have the lights on until 10pm, and that light does spill over into the neighborhood. Generally this is not a problem with the courts where they are. There is a buffer area between the courts and the neighborhood and since there is a church directly east of the lighted courts and not houses there is a buffer on that side as well. This would not be true with the courts in the proposed new location, bright lights would shine directly into many houses surrounding the corner of 33 & J. However this is not my main objection. My main objection to the new courts is this - I don't see how they need 3 new tennis courts. I walk my dogs in the south half of Woods Park almost everyday during the summer and less often during the winter months. Unless they are having youth lessons I almost never see anyone using the courts that are west of the present tennis bubbles. I don't often see the furthest south courts being used. Why are we building more courts when the ones that are there are not being used to the max? Also you are proposing the taking of space that is open to all and turning it into a place you have to pay to play, which was and is my only objection to the ball field renovation.

I am all for recreational facilities that are available to the public and judging from the prices posted on the courts the prices are pretty affordable. I don't see spending money for facilities that are only going to be used a few days a year for tournaments and stand pretty much empty the rest of the time costing rather than generating income.

If the news reports about the keno revenus for Parks and Rec are true it seems to me this is an area that we can just leave be.

Sincerely

Kathy Jackson

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



"Patte Newman" <newman2003@neb.rr. com>

To: <JRay@ci.lincoln.ne.us>

CC:

Subject: Fw: Woods Park

02/27/2005 11:11 AM

For the Council:

---- Original Message -----

From: "George E Wolf" <qwolf@unlnotes.unl.edu>

To: <pnewman@ci.lincoln.ne.us>

Sent: Sunday, February 27, 2005 10:33 AM

Subject: Woods Park

•

> Dear Councilwoman Newman:

>

> This past Friday, an unseasonably warm day, as I ran through Woods Park

> and
> saw the raw evidence of another loss of green space, this time to the
> Health Department extension, I made up my mind to do what I could to
> prevent any further incursions on the openness of the park. And that s
> what I m doing now in urging you to support the neighbors of Woods Park
> and
> the members of the Witherbee Neighborhood Association by voting against
> the
> Parks and Recreation Department s plan to reserve even more of the park s
> open space for three additional tennis courts.
> Sincerely,
> George E. Wolf
> 1226 South 25th St.
> Lincoln, NE 68502-1813

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---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



"Patte Newman" <newman2003@neb.rr.

To: <JRay@ci.lincoln.ne.us>

CC:

Subject: Fw: tennis courts at woods

02/27/2005 11:11 AM

For the Council:

---- Original Message ----

From: ctal22

To: pnewman@ci.lincoln.ne.us

Sent: Sunday, February 27, 2005 10:39 AM

Subject: tennis courts at woods

I would like to ask that you vote against the new courts being built. I live 4 houses south of the exsisting courts. During the summer me and my daughter walk past the courts all the time to go to the play area north of the courts. I have yet to seeing anyone using the courts the built west of the bubble covered courts. There are 6 courts over there that they just had to have, but they never use them. I would like to now what there reason is for thinking they need 3 more. That area would be better used if they moved the play ground closer to the residental area than the courts. Once again I would like you to vote against the measure. I think tax payer dollars could be better spent somewhere they are needed.

Thank you Craig Ansbach

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---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



william carter <bcarlinc@yahoo.com

To: council@ci.lincoln.ne.us

CC

Subject: woods tennis courts

02/27/2005 11:13 AM

I am writing this to voice my opposition to the proposal to add more tennis courts to Woods Park. park is for the people of Lincoln and not some private enterprise that uses city land for business. council is slowly taking away taking away the availability of the park by continuously building on it. Several years ago more tennis courts were added to the west end of the bubbles. Now the city is adding on to the east of the health department taking away some park area. You had sidewalks added, then some worthless sculptures that add nothing to the park. Now you want to give some more land for private enterprise that is not wanted or needed. If Woods Tennis wants to add more courts they should find their own landd outside the area and build to their hearts content, but do not do it on our park land. The addition will bring both unwanted noise, lighting and some very unwanted heavy traffic to an area that has a lot of children on foot in the area.

Bill Carter 3412 M Lincoln,Ne 68510 474-3626

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around http://mail.yahoo.com

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



jsoto@southeast.edu 02/27/2005 11:33 AM To: council@ci.lincoln.ne.us

CC;

Subject: Woods Park Master Plan

Attached is my statement for the public record regarding the above encaptioned matter. It is my lintention that this document be distributed and made available to all members of the Council and interested others.

Thank you.

Jose J. Soto 509 South 28th Street Lioncoln, NE 68510



475-2123 city council woods park.do

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



Ward Curry <wcur33@yahoo.com>

02/27/2005 05:37 PM

To: council@ci.lincoln.ne.us

CC:

Subject: oppose tennis courts, Woods Park

Please help save whats left of Woods Park. It is a city park not a sports complex.

I know colleges and universities need sports facilities, but the city should not sacrifice its parks for this.

Thank you' Ward Curry

Do you Yahoo!?

Yahoo! Mail - You care about security. So do we. http://promotions.yahoo.com/new_mail

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



<freefamily@cmusicdj.</pre>

To: <jray@lincoln.ne.gov>

CC:

02/27/2005 07:56 PM

com>

Subject: Park Activity Expansion



Thank you, Russ Free Vote no on park activity development.w ——Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ——



"carol" <carol@inetnebr.com>

02/27/2005 11:05 PM

To: <council@ci.lincoln.ne.us>

CC:

Subject: Woods Park and change of the master plan

City Council members-

Regarding the issue of Woods Park and changing the master plan for "more tennis courts."

I will be present at the city council meeting on Monday, but will likely not have the opportunity to speak before the council due to the number of people who will do so. Regrettably I doubt it will make a difference any way. I have lived at 445 South 29th street since 1977 (have raised my family here,) & have observed the city government disregard the well being of this classy old neighborhood for several years, beginning with the removal of the Rose Garden near 33 & O street.

I did offer formal testimony to plead against the rose garden's demise, as I really believed the neighborhood had input. I was very disheartened to learn the deal was done, long before any of us was given an opportunity to know what was going on or how we felt about it. We were actually told at that time that the rose garden would not be moved and that the roses present at that location would remain. (I don't find a single rose bush there at this writing.) The tennis association apparently had what and who they wanted to back them, so once again I feel a sense of da ja vu.

This city council would do well to visit some of the larger cities with the old neighborhoods taken over by drug deals and crime after the owners of those neighborhoods fled for reasons much like those developing here in the Woods Park neighborhood. We don't own our own neighborhood if we are forced to host a large sports complex. We will be over run and finally run out by tennis, base ball, and what ever else has money and power to make a deal with city government before we have a clue.

I hope I am wrong about all of this and will be watching closely to see whether the city council really values the older neighborhoods or just talks the talk. (& I vote with a long memory.)

Carol Petersen
445 So 29th street
Lincoln, Nebr.
----- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM -----



"Stephen Boyd" <shboyd1@webtv.net> 02/28/2005 12:37 AM

To: council@ci.lincoln.ne.us

CC:

Subject: Loss of park land

I find it interesting that the rationale for building more tennis courts is the "50s master plan". Did the "50s" plan also include 18 tennis court's, swimming pool, larger parking lots, a college baseball field, and the health dept, taking the north side of the park in a questionable need to expand? (and

they will certainly want more). Woods is not a large park, and if the word's "if and when" are left in the plan, the courts will be built, and Woods will be a park in name only.

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



"Steve Bowen" <sbowen@willmar-elec tric.com>

To: <Council@ci.Lincoln.ne.us>

cc:

Subject: Woods Park Mater Plan

02/28/2005 01:09 AM

Please submit this attached letter to the City Council for testimony on the Woods Park Master Plan.

Thank you,



Steve Bowen Letter to City Council.pc

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



"Garry Martin" <GMartin@taparch.co

To: <council@ci.lincoln.ne.us>

CC:

Subject: Woods Park

02/28/2005 09:10 AM Please respond to GMartin

I want to make a comment or so in regard to the Woods Park Master Plan and what will be potentially voted on later today.

- 1. Lincoln needs to have green space, it is what gives us public benefit and a quality of life. People moving into this city want and respect Lincoln's park system. We have eroded the nature of Wood's Park continuously since my moving into the surrounding neighborhood, almost 24 years ago. We have seen the encroachment by the Health Department, by a tennis association with more courts and bubbles and by Nebraska Wesleyan in building a larger ball diamond. These have all taken away from what I define as a park. Wood's Park is more and more becoming a paid athletic complex (except for Health Department which is another issue). We are losing park area as open land piece by piece, until we have no park area left. I guess it gets to one's definition of park and for me park means having open space. Sometimes, it isn't the massive move that kills such as urban renewal, but the continual destruction piece by piece.
- 2. I keep hearing about how Wood's Park is a community park, yet who is being served is not really for the community as defined in City of Lincoln comprehensive plan definition. We have a tennis association who largely is bringing people outside of what is the defined radius. They are using the

park as a private group to serve their best interest. They do a few things and say a few things to make it appear like it really is in the best interest of the City. What it really is doing is serving themselves. By talking the City into allowing this mega-tennis complex use, they have been able to obtain tennis courts and land for a substantially lower cost than developing facilities elsewhere. The tennis association could do a more proper facility designed appropriately for their needs and competition level they want by creation of developed land outside of landlocked urban core. We have allowed money and private interests to dictate public space at Wood's Park.

3. I keep hearing how this is a community park and not defined specifically as a neighborhood park. Shouldn't Parks and Recreation be respective to the people directly surrounding the park area? Why should Parks and Recreation be allowed to hide under the name of "Community Park" and not be responsive to it's direct neighbors and direct context. The people who surround the park are the persons who deal with the noise, the disruptions, the trash and the other detrimental issues which are caused by the use of Wood's Park. I feel the people at Parks and Recreation have used this definition (Community Park) to thwart responsibility to the local neighbors. Quality design is one of which is respective of others both at the micro-scale and the macro-scale.

I urge you to consider carefully what is being done in regard to Wood's Park. I do not and hopefully you do not want to see this park being slowly taken from park land to commercialization of athletic spaces and office spaces (Health Dept.). In the area just outside of downtown spaces like this is very important. What becomes of Lincoln as a city starts here with the attractiveness of nice open park area. Please think about this and do not let further encroachment upon the park as we know.

Thanks.

Garry Martin 338 So. 29th St. Lincoln, NE 68510 email: archgarry2@msn.com

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:01 PM ----



RALPHANDDEB@aol.c

02/28/2005 09:20 AM

To: council@ci.lincoln.ne.us

CC:

Subject: Woods Park Master Plan

City Council Members:

As a Woods Park neighbor, I am urging you not to vote in favor of the additional tennis courts as outlined on the Woods Park Master Plan. If this is approved, the whole south end of Woods Park will be a sports complex (tennis courts, swimming pool, Wesleyan ball field) which will put added pressure on the neighbors to the south of the park, including traffic, parking, noise, litter, and limited access to the rest of the park.

I am not anti-tennis, I believe the Tennis Assn. has made wonderful improvements to their facilities. I am pro green space. My idea of green space is more park, less recreation facilities. I would even feel

differently about adding the additional courts if the present courts were utilized at capacity, which they are not. The exisiting *summer* court usage is at 46%, which is the total usage for weekdays and weekends, mornings and evenings (per the Managing Director, Woods Tennis Center). My idea of green space is not empty, locked-up tennis courts which are used less than 50% of the time during the summer, and almost never the rest of the year.

The Lincoln Parks & Rec Dept. has a flyer named "Open Space - Greening the Good Life" which asks for recommendations for conserving land and open spaces, particularly a green belt and hiking/biking trails. On the front cover is a quote from the 2025 Lincoln/Lancaster County Comprehensive Plan which states "The quality of life for future generations will be reflected in the quality of the natural environment left to them by present generations." I believe the Woods family which originally deeded Woods Park to the city had the same dream in mind.

Please preserve Woods Park.

Thank you.

Deb Kuwamoto 339 So. 29th St. Lincoln, NE 68510



CC:

Subject: eminent domain 5th Amendment/Hammond Hotel

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:05 PM ----



"cjcath@juno.com" <cjcath 02/25/2005 05:20 PM

To: council@ci.lincoln.ne.us

CC:

Subject: eminent domain 5th Amendment

Lincoln City Council,

Where you not elected by the people of Lincoln? Who are you looking out for? Do you have NO feelings for the 4 or 5 businessess owned by Lincoln citizens, who pay their taxes and keep Lincoln beautiful? Can your vote be bought by a billionaire from out of town. I agree withJoe Johnson. Whe whole idea of eminent domain is being misused by the mayor of this city. Our mayor seems to only look for at the dollar sign and have NO feelings about anything or anyone but herself. Another example is the No smoking issue. Do you care that four to five bars have shut down, do to the no smoking issue. People can go as close as Emerald or Denison, Fremont, causing the bars in town to loose clients. Do you care? My thoughts are NO. If a bar wants to be smokeless let them. Since our New mayor has taken office the city of Lincoln has gone down hill.

Cathy Eqbarts

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:05 PM ----



"Loraine E Losser" <loelo@wcn.net> 02/25/2005 07:51 PM

To: <council@ci.lincoln.ne.us>

cc: "Sean Carl and Arica Wieting" <scwieting@aol.com>

Subject: Hotel development proposal

Lincoln, Nebraska City Council

In behalf of Sean Wieting, owner of Samurai Sam's, as well as the remaining businesses on the block bordered by 17th & 18th, I am outraged at what I am reading on the Lincoln Journal Star website regarding the Lincoln City Council's consideration to approve the building of a four story hotel on this site.

Even though the mayor "had some qualms about displacing businesses" the remark was overshadowed by big money and the benefits for the developers and builders. No specific benefits were mentioned for these businesses.

These businesses have individual life-savings invested in them. As one of these individuals, I am pleading that city officials consider how this unethical, proposed development will effect the lives and families of those who own these businesses. Such a displacement can cause grief for generations. What do these tactics on the part of the Lincoln city

government and big money investors represent to the next generation?

I am against the development of this hotel until there is honest assurance in writing that the present businesses on this site will receive the fair market value for each business, as well as relocation costs.

Sincerely,

Loraine E. Losser

---- Forwarded by Joan V Rav/Notes on 02/28/2005 12:05 PM ----



Rvan Reinke <ryanreinke@yahoo.co m>

02/26/2005 07:53 AM

To: council@ci.lincoln.ne.us CC:

Subject: John Q Hammons hotel

Elected officers:

I am sure that you feel you are looking out for the general public by stimulating more economic developement, but you are crossing a line that goes against everything the free market stands for.

I believe in free trade and economic prosperity. Every market place will determine a value for a common good based on supply and demand. Your intervention directly contradicts this process. You have no right to interfere.

Please be sure that if this goes forward, I will work towards the removal of each of you.

In all honesty, Ryan Reinke

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around http://mail.yahoo.com

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:05 PM ----



lonnie senstock <verdelll@yahoo.com</pre> To: council@ci.lincoln.ne.us

Subject: Please be fair

02/26/2005 06:36 PM

It is unfair to just take away a mans business for corportate. It is corporate America that seperates the average man trying to make it in business, so that corporates like Hammond can just take it over without giving the man who put blood, sweat, and tears into

his life. Take away that, and you've given another working class man nothing. You've taken his life away. The rich get richer, the poor get poorer. Typical for todays so called 'business proposals.' Please stop this, so another man's life is not taken away without some compensation. Lonnie Senstock

===== Lonnie

Do you Yahoo!?

Read only the mail you want - Yahoo! Mail SpamGuard. http://promotions.yahoo.com/new mail

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:05 PM ----



Jane H Kinsey <jakin3@juno.com> 02/26/2005 08:34 PM

To: council@ci.lincoln.ne.us

CC:

Subject: Hammons Redevelopment Proposal

To Terry Werner, Chairman

To Councilman Ken Svoboda

To Councilman Glenn Friendt

To Councilman Jonathan Cook

To Councilman Jon Camp

To Councilwoman Annette McRoy

To Councilwoman Patte Newman

Please vote against this proposal. It is unnecessary, an abuse of our citizens' rights and we cannot afford it. Thank you.

Jane H. Kinsey

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:05 PM ----



"sue and randy" <randy-susan@neb.rr. com> To: <council@ci.lincoln.ne.us>

CC;

Subject: Immoral use of eminent domain

02/26/2005 10:43 PM

To the Members of the City Council of the City of Lincoln:

I have been following the issue of the possible condemnation of private property to allow John Q. Hammonds to build a hotel. I am sure that the hotel will provide employment to many and bring tax revenue to <?xml:namespace prefix = st1 ns = "urn:schemas-microsoft-com:office:smarttags" />Lincoln. However, I don't believe that this becomes a public concern. If it were, we could extend that logic to raze low-income housing, homeless shelters, parking lots, new and used car lots, small convenience stores, fast-food restaurants, churches, private schools and academies, and a number of other businesses and

structures in the city to enable a cadre of billionaires to erect hotels which provide a number of mind-numbing service jobs and pay some city tax. Of course, since the city could condemn the property and give it to the billionaires for pennies on the dollar, billionaires might be lining up to raze family homes and the dreams of small entrepreneurs. Is it really the business of government to displace working people in order to line the pockets of the already-rich?

<?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />
The city should be ashamed of itself for even considering the possibility of using eminent domain in this manner, and each councilman and councilwoman who votes for this should not be able to face their reflections in the mirror. If this goes through, I will no longer be able to hold my head high when I tell people I'm from Lincoln, and I know that there are plenty of VOTERS in Lincoln who feel the same way.

Please look long and hard at this issue and do the right thing.

Randy Musselman 2320 Calvert Lincoln 68502

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:05 PM ----



"Bill Byrne" <bbyrne@athletics.tam u.edu>

To: <council@ci.lincoln.ne.us>

CC

Subject: Please don't kill Samurai Sam's

02/27/2005 12:03 PM

Although is has been a few years since I've lived in Lincoln, one of the places always return to for lunch is Samurai Sam's when I return. That's not unusual because it was one of my lunch hangouts when I lived in Lincoln before.

There aren't enough owner run and operated food places in Lincoln and to put Sam's out of business is wrong. Please reconsider. Bill Byrne

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:05 PM ----



"m333t@juno.com" <m333t

02/27/2005 12:11 PM

To: council@ci.lincoln.ne.us

CC:

Subject: eminent domain BBR

Lincoln City Council

Please put PEOPLE before \$'S in your decision about eminent domain usages.

Do not destroy viable Lincoln businesses to accommodate out-of-town interests.

Whatever you think, (in terms of taxes), the livelihood of our citizens is your primer consideration as our ELECTED members of the Lincoln council.

Therefore, I expect ALL COUNCIL MEMBERS TO VOTE NO

Lincoln citizen: Marvin Twersky

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:05 PM ----



"Barbara Morley" <biolegal@earthlink.ne

To: Council@ci.Lincoln.ne.us

CC:

Subject: Hotel block/eminent domain/Antelope Valley

02/27/2005 09:19 PM Please respond to biolegal

Attached is a letter that I have sent to the LJS regarding the use of eminent domain. I expect they will not print it, so I am attaching it. It is not likely that I will be able to attend tomorrow's hearing on the "hotel block." Although i oppose the use of eminent domain for uses that are not the appropriate functions of government, I find the upheaval over this particular block to be paradoxical. The city council delegated its authority to JAVA, which has the power of eminent domain. JAVA is taking my property by eminent domain for an unspecified urban redevelopment project in the future (10-20 years). At least in the case of the hotel block, they have a use for it now. In my case, they are taking my property because they have the money and will someday want to build something on it. Does that not strike you as strange?

Aside from that, my comments in the attached letter are in lieu of oral testimony tomorrow night. Lexpect it will be a long night. As for Embassy Suites, I travel a lot and won't stay in them. I find them boring. There is one in every city. That's enough. Why on earth would Lincoln want 3.

Barbara Morley biolegal@earthlink.net Why Wait? Move to EarthLink.

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:05 PM ----



"Barbara Morley" <biolegal@earthlink.ne

To: "Council" < Council@ci.Lincoln.ne.us>

CC:

Subject: Hotel block/Eminent domain/Antelope VAlley

02/27/2005 09:21 PM Please respond to biolegal

Attached is a letter that I have sent to the LJS regarding the use of eminent domain. I expect they will not print it, so I am attaching it. It is not likely that I will be able to attend tomorrow's hearing on the "hotel block." Although i oppose the use of eminent domain for uses that are not the appropriate functions of government, I find the upheaval over this particular block to be paradoxical. The city council delegated its authority to JAVA, which has the power of eminent domain. JAVA is taking my property by eminent domain for an unspecified urban redevelopment project in the future (10-20 years). At least in the case of the hotel block, they have a use for it now. In my case, they are taking my property because they have the money and will someday want to build something on it. Does that not strike you as strange?

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Barbara Morley biologal@earthlink.net



Letter to the editor Feb 27.do

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:05 PM ----



"Alisha Lamb" <alamb2@hotmail.com

To: council@ci.lincoln.ne.us

CC:

Subject: Samurai Sam's and Eminent Domain

02/27/2005 10:29 PM

Dear City Council Members:

I am writing to you in opposition of the proposed hotel development project. As a life-time citizen of Lincoln, I am against the development of this. It is not right for a private developer, like John Q. Hammons, to use Eminent Domain when it is supposed to be for public use. Mr. Hammons sent his proposal through the government instead of talking to the businesses he would be destroying himself and these businesses are not receiving a fair compensation for what they are worth.

Since Mr. Hammons does not live here in Lincoln, a big city with a small-town atmosphere, how does he know what's good for our city? It's wrong for a "big" man, who does not need more money, to force a small business, it's family, and it's employees to shut down. As a community, Lincoln should support small businesses and especially a UNL Alumni that has opened his own business, like Sean Wieting has done. Why would a high school student want to go the the University as a business student and have a dream of opening an entrepreneurship in Lincoln if it is not going to be supported by the city?

There are other hotels downtown and a new hotel is going to take revenue away from them so how is that helping the city? If you, as the City Council, allow this Eminent Domain to happen now, that is just opening the door for it to happen again. What if next time it is your child's or friend's business or house? How would you feel then?

It is not ethically or morally right to pull a business out from under a young man and his pregnant wife to allow a rich, old man to get richer, or to not support a graduate and former athlete of the University of Nebraska. Please use your heart to think about this issue. I was always taught to stand up for what you believe in, no matter what others think of you, so I ask that you make a stand AGAINST Eminent Domain and this proposed hotel project.

Thank you for your time and for allowing a Lincolnnite to voice what I believe in.

Sincerely, Alisha Lamb

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:05 PM ----



Amy Kobza Deutsch <akobza@alltel.net> 02/27/2005 11:34 PM

To: council@ci.lincoln.ne.us cc: oped@journalstar.com Subject: eminent domain Dear City Council Members,

I would like you to seriously consider the consequences and precedences you will be setting if you vote to allow the city's right of eminent domain to take over a few of the small businesses in Lincoln so that a multi-million dollar hotel can sit in its place. business owners have worked hard for the chance to thrive and exist in our community. These business owners have worked hard and often times risked everything to make their businesses happen. Lincoln has always been a big city, yet small enough to support community life. Allowing these hard working businesses to be wiped out of this community is very disheartening and sends the wrong message to future small-business owners in Lincoln.

I am proud to live in Lincoln and I want to continue to be proud and supportive of the brave, yet difficult, decisions our city council has to make. Please do not abuse the right of eminent domain to allow one private developer to capitalize on the growth of our city.

Sincerely,

Amv Kobza Deutsch 2733 Kipling Circle

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:05 PM ----



CallConnie@aol.com

To: council@ci.lincoln.ne.us CC. 02/28/2005 09:01 AM

Subject: Hammond hotel project

Good morning,

I support the local business owners and leaseholders of the properties that are affected by the Hammond hotel project.

Eminent domain is a privilege given to government for the betterment of PUBLIC PROJECTS. It is certainly applicable to an improvement that will benefit the people of an area, such as widening a road, improving utilities, and providing park area. These are examples of uses that are available to everyone in a community.

I fail to see why Mr. Hammond does not try to acquire a property using the methods that other for-profit companies do. His company should be personally attempting to purchase land. The addition of a hotel, that is in no way a part of a governmental entity, should not entitle the Council to give the Eminent Domain condemnation to land/buildings and then convey that property to another private company.

The position that a new business would provide jobs is questionable. Hotels are noted for the majority of the positions being at the bottom of the wage scale. A large company such as Marriott will have their higher paid salaried personnel in a corporate headquarters, and not in Lincoln. Also, the "jobs" position does not entitle a private company to acquire property through "eminent domain."

Please, this council is distrusted my many in the community already. Do not abuse your power in this way. There is a rumor that if the City does this favor for Hammonds, it might pave the way for him to build a Convention Center, and another hotel. I suggest that Hammond do his part of this, and build the Convention Center, and at that point, consider where the people that would come to those conventions would sleep.

In closing, please remember that Eminent Domain is not an instrument to give a company of choice his pick of property in Lincoln. We will lose the management level jobs that are now earning wages in Lincoln. You will lose the trust of the citizens. This hotel is surely not worth displacing local companies with a private project that will have the management levels outside of Lincoln.

Please vote AGAINST giving away the rights of our local business owners!

Thank you. Connie D. Bundy callconnie@aol.com 402-489-6359 5540 South 96th Place, Lincoln, NE 68526 ---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:05 PM ----



FCSidles@aol.com

02/28/2005 10:10 AM

To: council@ci.lincoln.ne.us

cc.

Subject: Eminent Domain

To all Lincoln City Council Members: This is notification to you that Frank C. (Bud) Sidles and Ann S. Sidles are unalterably opposed to using the power of Eminent Domain to take property from one private owner and then sell it or give it to another private owner or investor. Frank C. Sidles ---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:05 PM ----

To: council@ci.lincoln.ne.us



Nancy Cherrington <1951ncty@earthlink.n et>

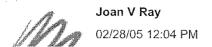
Subject: Downtown hotel project on today's agenda

02/28/2005 11:13 AM Please respond to Nancy Cherrington

As a Lincoln resident and property owner (and voter), I am writing to express my total objection to allowing eminent domain to be used to force innocent business and property owners from the block that the Hammons corporation would like to seize in order to build a hotel. If Hammons feels that his hotel will be such a great deal for Lincoln and could be such a boon for business, then let him pay the businesses on that block a decent amount for it and not use the mayor's office to do the dirty work and enable his project. He, of all people, should pay the price required! Also, I question that building another potentially half-empty hotel should be on the fast-track as it appears to be.

I thank you for your consideration of my opinion.

- -Nancy Cherrington
- -1539 N. 22nd Street
- -Lincoln, NE 68503
- -475-3762
- -1951ncty@earthlink.net



CC:

Subject: Fw: Wal Mart SE cor. of 84th and Adams

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:07 PM ----



"Patte Newman" <newman2003@neb.rr.

To: <JRay@ci.lincoln.ne.us>

CC

com>

Subject: Fw: Wal Mart SE cor. of 84th and Adams

02/26/2005 01:09 PM

For the Council:

---- Original Message -----

From: "Todd Wicken" <twicken@dor.state.ne.us>

To: co: <pr

Sent: Friday, February 25, 2005 10:51 AM Subject: Wal Mart SE cor. of 84th and Adams

>I was reading the City's Zoning regulations and stumbled across the intent > of > the B-2 Planned Neighborhood Business District regulations.

> Under General Purpose (27.31.020) it states

> "for planned and controlled consumer services on a neighborhood level,

> promote healthful economic growth,

> create a desirable environment, best complement the general land use

> pattern of the community, and assist

> in implementing the established goals and policies of the community."

> Does Wal Mart "create a desirable environment?" (next to a church and > school and residential development)

> Does the placement at this location "best complement the general land use > pattern?"

> I don't beleive so.

> If this location were next to a LPS school location, I doubt it would even > get past the planning commmission.

> I will be in contact at a later date, if the Planning Commission

> recommends

> approval of this location.

> Wal Mart's contention that the area in the northeast corner is not > suitable

> because of zoning and elevation problems

> is political wrangling at it's best.

> The site they have chosen will be lowered at least 20 feet from existing > topography and they need

> to rezone the area.

> Same problems as the site in the Northeast corner.

> Thank you for your service to the community.

> Todd Wicken

> R.O.W. Division

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> Property Management
> 402-479-4770
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> No virus found in this incoming message.
> Checked by AVG Anti-Virus.
> Version: 7.0.300 / Virus Database: 266.4.0 - Release Date: 2/22/2005
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---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:07 PM ----



crund@lps.org 02/27/2005 04:47 PM

To: campjon@aol.com, amcroy@ci.lincoln.ne.us, council@ci.lincoln.ne.us, plan@ne.gov

cc:

Subject: Wal Mart proposal

I am writing to express my concern about a proposed Wal Mart at the 84th and Adams Street location in Lincoln, Nebraska. Two of my young grandchildren attend Faith Lutheran School. Faith's property borders the proposed Wal Mart. In addition to the traffic, noise, and debris, the people that would have access to the school is a major concern. Many schools in Lincoln have locked doors and security personnel so that the safety of the children can be monitored. There are no public schools or private schools in Lincoln that border a super center such as Wal Mart. Why would the city allow this to happen now? I encourage you to deny the proposal.

<?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />
Carol Rundquist

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:07 PM ----



susan@inebraska.com

02/27/2005 07:13 PM

To: council@ci.lincoln.ne.us

CC:

Subject: Wal-Mart

Dear Lincoln City Council Members:

My purpose in writing to you today is to register my thoughts about the proposed

Wal-Mart at 84th and Adams. I have lived in the Havelock area (64th & Fremont) for 19 years and enjoy the Havelock neighborhood. We shop at the stores in Havelock and I have worked at Russ's in Havelock for about 6 years and all of my five children have worked at Russ's during their high school and/or college years. I think that if Wal-Mart is allowed to build a super store anywhere in east Lincoln it will have a terrible effect on the businesses

both in the Havelock area as well as in the Meadowland Shopping Center and Bethany. I do not think that Lincoln needs another Wal-Mart shopping center, two of them are plenty adequate to serve the needs of Lincoln. I am also a member of Faith Lutheran church which is located at 87th and Adams.

When our congregation voted to move the church and school to that area, we

knew

that there were plans for commercial development to the east of our property, but were never told that the possiblity ever existed for a "super-store". We were told that there could be "light commercial" (ie a strip mall) and an office park with plenty of "green space" around whatever would be built on that

corner.

I am sure that you have heard many of the concerns that Faith Lutheran Church and School have against Wal-Mart being allowed to have the property re-zoned and then build their "super-store" and I want you to know that I wholeheartly agree with those concerns. I would ask you not to re-zone the property in question so that Wal-Mart is allowed to build their facility in that location and ideally that they not build anymore stores in Lincoln. Susan Ringsmuth

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:07 PM ----



"Kent Suhr" <ks75959@alltel.net> 02/27/2005 10:31 PM

To: <council@ci.lincoln.ne.us>

CC:

Subject: Fw: WalMart proposal at 84th & Adams

Councilman Jonathan Cook,

We would like to express our disapproval of the proposed Wal-Mart store on the southeast corner of 84th & Adams Streets.

We are members of Faith Lutheran Church and our daughter attends Faith Lutheran school. We attended a neighborhood meeting where Wal-Mart representatives and engineers gave their proposal. This new store will greatly impede our worship and our daughter's school. We would lose one entrance to our church parking lot and Wal-Mart's trucks would be right next to our facility to load and unload their merchandise. The increased traffic is of great concern to us at this already busy intersection at 84th & Adams. Wal-Mart needs 23 acres to build a store of this size and it would be a tight squeeze at this proposed site.

We are very concerned about the safety of the 300 plus children attending this school and daycare from the increased traffic that will be brought by this retailer that will be open 24 hours a day, 7 days a week. This same feeling was strongly expressed by homeowners in the area also at the neighborhood meeting.

It was also mentioned that the streets feeding this facility such as Holdrege, Adams, and Havelock which are all two lanes, could not handle the increased traffic.

We do not oppose a new Wal-Mart store, however we feel it should NOT be located next to an existing church and school.

Please consider asking Wal-Mart for an alternative proposal at a different site that could better handle the traffic without being a burden on homeowners or schools.

Thank you!

Kent & Connie Suhr 7220 Greenwood Court Lincoln, NE 68507 464-1420

FREE Emoticons for your email! Click Here!



---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:07 PM ----



"Kent Suhr" <ks75959@alltel.net> 02/27/2005 10:31 PM

To: <council@ci.lincoln.ne.us>

CC:

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Thank you!

Kent & Connie Suhr 7220 Greenwood Court Lincoln, NE 68507 464-1420

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---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:07 PM ----



"Kent Suhr" <ks75959@alltel.net> 02/27/2005 10:32 PM

To: <council@ci.lincoln.ne.us>

CC:

Subject: Fw: WalMart proposal at 84th & Adams

Councilman Patte Newman:

We would like to express our disapproval of the proposed Wal-Mart store on the southeast corner of 84th & Adams Streets.

We are members of Faith Lutheran Church and our daughter attends Faith Lutheran school. We attended a neighborhood meeting where Wal-Mart representatives and engineers gave their proposal. This new store will greatly impede our worship and our daughter's school. We would lose one entrance to our church parking lot and Wal-Mart's trucks would be right next to our facility to load and unload their merchandise. The increased traffic is of great concern to us at this already busy intersection at 84th & Adams. Wal-Mart needs 23 acres to build a store of this size and it would be a tight squeeze at this proposed site.

We are very concerned about the safety of the 300 plus children attending this school and daycare from the increased traffic that will be brought by this retailer that will be open 24 hours a day, 7 days a week. This same feeling was strongly expressed by homeowners in the area also at the neighborhood meeting.

It was also mentioned that the streets feeding this facility such as Holdrege, Adams, and Havelock which are all two lanes, could not handle the increased traffic.

We do not oppose a new Wal-Mart store, however we feel it should NOT be located next to an existing church and school.

Please consider asking Wal-Mart for an alternative proposal at a different site that could better handle the traffic without being a burden on homeowners or schools.

Thank you!

Kent & Connie Suhr 7220 Greenwood Court Lincoln, NE 68507 464-1420

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---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:07 PM ----



"Kent Suhr" <ks75959@alltel.net> 02/27/2005 10:33 PM

To: <council@ci.lincoln.ne.us>

CC.

Subject: Fw: WalMart proposal at 84th & Adams

Councilman Ken Svoboda:

We would like to express our disapproval of the proposed Wal-Mart store on the southeast corner of 84th & Adams Streets.

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Thank you!

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---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:07 PM ----



"Kent Suhr" <ks75959@alltel.net> 02/27/2005 10:33 PM To: <council@ci.lincoln.ne.us>

cc:

Subject: Fw: WalMart proposal at 84th & Adams

Councilman Terry Werner:

We would like to express our disapproval of the proposed Wal-Mart store on the southeast corner of 84th & Adams Streets.

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Thank you!

Kent & Connie Suhr 7220 Greenwood Court Lincoln, NE 68507 464-1420

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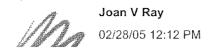












Subject: Opposition to Woods Park-C.Curry

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:14 PM ----



DO NOT REPLY to this-InterLinc

To: General Council < council@lincoln.ne.gov>

<none@lincoln.ne.gov Subject: InterLinc: Council Feedback

02/27/2005 02:09 PM

InterLinc: City Council Feedback for

General Council

Carole Curry Address: 3300 Woods Ave

City:

Lincoln, NE 68510

Phone:

402-475-8300

Fax:

Email: ccurry10@alltel.net

Comment or Question:

I am writing to express my strong opposition to the proposed development of additional tennis courts in Woods Park. It appears that decisions made by members of the Lincoln City Council regarding the park are biased in favor of private organizations, rather than citizens of the city who live near to and wish to enjoy the park on a daily basis. Regardless of the designation of Woods Park as a community or neighborhood park, the park is becoming less and less of a public park. Open and free-use spaces of the park are being taken from the public as recreation spaces and are being converted into privately-run ventures or restricted areas.

The location of Woods Park in the city of Lincoln makes it attractive and geographically available to many families who wish to picnic, play with their children and participate in a variety of outdoor activities that are not organized sports and that are free of cost. This includes many families who live near the park and do not have the resources nor interest in using the privately-run and fee-collecting activities.

Please consider the concerns of the citizens who wish to retain the open spaces of Woods Park and do not vote to permit the development of more tennis courts to be run by a private tennis organization.



CC:

Subject: Fwd: Working together on Corporation issues works-SmokingBan

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:16 PM ----



VKWFeline@aol.com

02/27/2005 04:59 PM

To: council@ci.lincoln.ne.us

CC

Subject: Fwd: Working together on Corporation issues does work!!!

Dear Council members - I urge you to stay firm on the effective smoking ban. Smoking is an addiction. And like other addicts, smokers use any deception, lie, or means to get their fix. The corporate backing for smoking is about their interest in big profits, not public health.

Trade organizations have consistently lied about the impact of smoking bans. Regardless, there is no disputing smoking & second hand smoke are harmful to all.

There is no right to do harm. Businesses do not have the right to do whatever they want to make a buck. The 100% smoking ban is just, fair, and proper. Stick to it & the smokers will eventually abide by it. Firm, consistent, fair policy is good government. It is about public health, safety, and well-being which you are elected to serve.

In a message dated 2/27/2005 12:11:30 AM Central Standard Time, marjmanglitz@yahoo.com writes: This Sunday, February 27th, the global tobacco treaty takes effect--a landmark event for global health and corporate accountability. Your support has helped make this groundbreaking treaty a reality. Thank you.

We are using this milestone to build support for the treaty in the US and around the world. In an action outside the White House today, Corporate Accountability International activists called on President Bush to submit the treaty to the Senate for ratification. For more details, including a great photo of our action, visit our website at http://www.stopcorporateabusenow.org/ct/K7aKmqE1VjZn/.

If you have a chance, listen to NPR news coverage of the treaty featuring Corporate Accountability International Executive Director Kathy Mulvey--the news update will run throughout the day on Sunday.

Ginny Wright

814 Lyncrest Drive

Lincoln, NE 68510-4022

402-489-6239 402-730-1951 (cell)

---- Message from marjmanglitz@yahoo.com on 26 Feb 2005 23:54 -0500 -----

To: director@peacepark.us, slarrick1@msn.com

cc: vkwfeline@aol.com, chrispaz@alltel.net

Subject Working together on Corporation issues does : work!!!

FROM : "Patti Lynn, Corporate Accountability International"

<activistnetwork@stopcorporateabuse.org>
DATE : Fri 02/25/2005 03:39:34 PST
SUBJECT: Congratulations, Marjorie J., global tobacco treaty takes effect this Sunday!
Dear Marjorie J.,

This Sunday, February 27th, the global tobacco treaty takes effect—a landmark event for global health and corporate accountability. Your support has helped make this groundbreaking treaty a reality. Thank you.

We are using this milestone to build support for the treaty in the US and around the world. In an action outside the White House today, Corporate Accountability International activists called on President Bush to submit the treaty to the Senate for ratification. For more details, including a great photo of our action, visit our website at http://www.stopcorporateabusenow.org/ct/K7aKmgElVjZn/.

If you have a chance, listen to NPR news coverage of the treaty featuring Corporate Accountability International Executive Director Kathy Mulvey--the news update will run throughout the day on Sunday.

Onward,

Patti Lynn Campaigns Director

Tell your friends, family and colleagues about our historic victory for global health and corporate accountability!

 $\label{lem:marginal} http://www.stopcorporateabusenow.org/join-forward.html?domain=stopcorporateabuse&r=g7aKmqE1EB-2$

If you received this message from a friend, you can sign up for Corporate Accountability International at:

http://www.stopcorporateabusenow.org/stopcorporateabuse/join.html?r=g7aKmqE1EB -2E

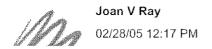
This message was sent to marjmanglitz@yahoo.com. To modify your email communication preferences or update your personal profile, visit your subscription management page at:

http://www.stopcorporateabusenow.org/stopcorporateabuse/smp.tcl?nkey=dkskwb4yj837te

To stop ALL email from Corporate Accountability International, reply via email with "remove" in the subject line, or use the following link:

http://www.stopcorporateabusenow.org/stopcorporateabuse/remove-domain-direct.tcl?ctx=center&nkey=dkskwb4yj837te

Powered by GetActive Software, Inc.



CC:

Subject: requests

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:19 PM ----



"John Brown" <johnbro2@hotmail.co m>

To: council@ci.lincoln.ne.us

CC:

Subject: requests

02/27/2005 09:21 PM

Dear Council Members:

Just say NO to:

05R-35 Approving a resolution directing the submission

of a proposed General Obligation Bond Issue

for construction of

improvements to the City's storm sewer

(we have already seen an upsurge of the fees in water and sewer)

05R-40 Approving an amendment to the Antelope Valley

Redevelopment Plan for the East Downtown Hotel

Redevelopment Area

(many of you are business people, how would you like it if someone seized your business???)

05R-43 Approving an updated master plan for Woods Park

(instead blight the airport property and use that as the tennis court area they won't be bothered by noise for the lack of flights we have in Lincoln!)

and a big NO to Wal-Mart Stores, Inc. anywhere in Lincoln! How about following through with the recommendations of the Angelou economic report direct quotes:

page 29

"Here are some additional interesting facts:

- ullet 95 percent of all radical innovations are attributable to small businesses.
- ullet In the late 1960s, one in four persons went to work for a Fortune 500 firm; in

1980 it was one in five; in the late 1990s it is one in fourteen.

 \bullet Informal investors – friends, family, and work associates of people starting new

businesses - create the lion's share of the estimated \$56 billion of initial funding

for new businesses.

The last fact validates the opportunity for individuals and businesses in Lincoln to

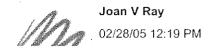
financially support entrepreneurship. Lincoln has the university talent and technology

support organizations need to produce incredible small businesses."

My opinion is if you want to promote small business in the community instead of big box business then you need to follow this report and also provide small spaces for small business 500 to 1000 sq ft would be nice.

John Brown II 2201 Elba Circle Lincoln Ne 68521 435-6686

Don't just search. Find. Check out the new MSN Search! http://search.msn.click-url.com/go/onm00200636ave/direct/01/



Subject: Woods Park Tennis Courts

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:21 PM ----



DO NOT REPLY to this-InterLinc

To: General Council < council@lincoln.ne.gov>

<none@lincoln.ne.gov Subject: InterLinc: Council Feedback</p>

02/28/2005 06:40 AM

InterLinc: City Council Feedback for

General Council

Name:

Peter McShane Address: 418 S 30th St

City:

Lincoln, NE 68510

Phone:

475-9344

Fax:

Email: repete615@aol.com

Comment or Question: Dear Council Members,

I live at 418 S 30th St, just west of Woods Park. I realise that tennis is an ever growing sport. But I am concerned about the number ot tennis courts gowing up in Woods Park. We already have a number of courts there now, including several that are covered. How many more does that Parks Department plan to put up? How crowed are the existing courts now? I know that one of the arguements is that 'additional courts are needed for events like the Nebraska State Games'? But are we using what we have to the fullest? Is this going to require additional parking? I know that during the summmer, when Woods Pool has its swimming meets, cars are parked all over, including on the grassy areas of the park. Is the tennis association going to oversee the operation and running of the tennis courts? I hope that they are making an appropriate return to the city for the use of the courts. What concerns me is the loss of green space as well as the additional traffic that this may bring to the area. Thank you,

Peter McShane



Joan V Rav

02/28/05 12:22 PM

To: CouncilPacket/Notes@Notes

Subject: eminent domain

---- Forwarded by Joan V Rav/Notes on 02/28/2005 12:25 PM ----



DO NOT REPLY to this-InterLinc

To: General Council <council@lincoln.ne.gov>

<none@lincoln.ne.gov Subject: InterLinc: Council Feedback</pre>

02/28/2005 08:41 AM

InterLinc: City Council Feedback for

General Council

Name:

Stephanie Dohner

Address: 2314 S 10th

City:

Lincoln, NE 68502

Phone:

Fax:

Email:

dohners@mindspring.com

Comment or Question:

Dear Council,

Current proposals for downtown renewal are exciting, but I am concerned about the consequent removal of small businesses. I believe the recent downtown study more or less recommended that small business be encouraged in specific sections of the downtown.

If it is necessary for businesses to move for new hotels, libraries, etc, I would hope they would have encouragement and some assistance for relocating in the downtown area. Stephanie Dohner



Joan V Ray

To: CouncilPacket/Notes@Notes

Subject: Oppose Tennis Courts

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:26 PM ----

Diane K Gonzolas

To: mayor@lincoln.ne.gov, Joan V Ray/Notes@Notes

02/28/2005 09:24 AM Subject: InterLinc: Feedback

---- Forwarded by Diane K Gonzolas/Notes on 02/28/05 09:26 AM ----



Heather M Bennett

To: Diane K Gonzolas/Notes@Notes

ec.

02/28/05 09:07 AM

Subject: InterLinc: Feedback

Heather Bennett Graphic Designer Citizen Information Center City of Lincoln 402.441.6801

---- Forwarded by Heather M Bennett/Notes on 02/28/2005 09:10 AM ----



DO NOT REPLY to this-

To: Web Assistant <webhelp@lincoln.ne.gov>

<none@lincoln.ne.gov</pre>

Subject: InterLinc: Feedback

02/28/2005 07:09 AM

InterLinc: Feedback

Name:

Wayne Magdanz 3443 M St.

Addr: Phone:

Location: Lincoln, NE 477-7348

Fax: Email: Comments.

No more tennis courts. No more elimination of Woods Park. This is a park my family has watched our children grow up in. We have flown kites, walked the dog, played softball, soccer, football and basketball in. We have enjoyed walks and picnics in the park. We love the crab apple trees in the spring and miss the roses. Please do not continue to create this privately owned tennis center. We do not want people parking in our neighborhood. We do not want a bigger parking space added to the park. Please do not distoy this space. No more tennis courts.



CC:

Subject: Oppose Tennis Courts (P Magdanz)

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:30 PM ----

Diane K Gonzolas

To: mayor@ci.lincoln.ne.us, Joan V Ray/Notes@Notes

CC

02/28/2005 09:24 AM

Subject: InterLinc: Feedback

---- Forwarded by Diane K Gonzolas/Notes on 02/28/05 09:26 AM ----



Heather M Bennett

To: Diane K Gonzolas/Notes@Notes

CC:

02/28/05 09:07 AM

Subject: InterLinc: Feedback

Heather Bennett Graphic Designer Citizen Information Center City of Lincoln 402.441.6801

---- Forwarded by Heather M Bennett/Notes on 02/28/2005 09:09 AM ----



DO NOT REPLY to this-

To: Web Assistant <webhelp@lincoln.ne.gov>

erLinc

Subject: InterLinc: Feedback

<none@lincoln.ne.gov

02/28/2005 07:02 AM

InterLinc: Feedback

Name: Pam Magdanz Addr: 3443 M St. Location: Lincoln, NE

Phone: 477-7348

Fax:

Email: pmagdanz@lps.org

Comments:

I am opposed to the expansion of the Woods Park tennis courts. The park is a green space in our city that must be preserved for future generations. During mild weather, it is filled with children playing, families spending time together and many others enjoying the beautiful surroundings. It has already been discouraging to see tennis bubbles polluting the sky line and trees removed to make way for expanding buildings. More tennis courts will not only remove some of the green space but will add to the parking congestion, I forsee the next step. It will be parking space. Please do not approve this plan. As a resident off the Witherbee neighborhood for more than 30 years, I do not want more tennis courts. Please do not distroy anymore of our park.



CC:

Subject: Eminent Domain & Smoking

---- Forwarded by Joan V Ray/Notes on 02/28/2005 12:32 PM ----



"Darlene Stalder" <dstalder@neb.rr.com To: <council@ci.lincoln.ne.us>

CC:

Subject: Eminent Domain & Smoking

02/28/2005 12:08 PM

I fully support building a new hotel. However, let the builder buy his own land on the open market. I think if he would make an offer large enough the land owner would be a willing seller. Isn't this Capitalism?

Please don't change the smoking ordnance. The past two months have been the most pleasant for my wife and me. My wife has asthma, so we need a smoke free environment. We eat out a lot, so this give us a lot more places to eat. Don't go against 60% of the citizens of Lincoln. Let the smokers go out in the County to smoke themselves to death and take the innocent people breathing second hand smoke with them. It's too bad that they come back to Lincoln to die in our hospitals, which I am sure costs us tax payers some money.

Charles "Pete" Stalder

Patte Newman Northeast District

FEB 28 2005

Dear City Council Members:

I am writing to urge you to not endorse the use of eminent domain for the purposes of securing the downtown block in question for a new hotel. I have been a resident of Lincoln since 1979 and am a homeowner in the Woods Parks Historic Neighborhood district. I am also a professor at the University of Nebraska and a registered voter who votes in every election.

Eminent domain is a power that should be granted very carefully for it goes to the heart of our rights as property owners in a free society. To violate that right by forcefully seizing property should be for a rare and compelling case, and this case is neither compelling nor does it fall into the category of rare; in fact, it opens the door to multiple future seizures as the Antelope Valley project gets under way.

Eminent domain is a power of last resort that was designed to create transportation lines of central importance to a city. It is now being expanded to include subjective concepts such as "revitalization," and "beautification." It is by no means objective reality that Lincoln needs another hotel so badly that this property should be seized; in fact, the occupancy rate for the hotels we now have is only around 60%. A new hotel threatens to drain away the financial health of all our hotels and potentially undermine the very tax base that is now being projected for this project. As the driver of a vehicle that uses diesel gasoline, the existence of U-Stop, which has one of the few diesel pumps in the city, is far more useful to me than a hotel.

Beyond these practical considerations, however, the principles at stake are far more important. Do we as a city stand for the property rights of the homeowner and small business owner or do we stand for wealthy developers, who intimidate us into granting their every wish? Do we stand for the concepts of diversity, the right to pursue happiness, and the hard work that goes into making a business work or do we support chain hotels that make all cities look alike? Above all, do we stand for the "little guy," the bedrock of our values as Midwesterners, the people who built this city out of nothing, or do we stand for people who don't live here and care only about profits and not our quality of life?

It broke my heart to read about the former Cornhusker who started Samurai Sam's with classic American ingenuity and is now threatened with ruin just as his wife is about to deliver their first child; about the Vietnam veteran who gave all he had to give to his country and now faces financial ruin with the closing of his auto business; about the couple who lovingly restored a beautiful vintage home, only to have the city condemn it as blight. And for what? —So a big developer can have his way on his time-table and without any effort to buy the property from the legitimate owners. —So the way can be cleared for a freeway right through the heart of our lovely college town.

How did the razing of small businesses and historic homes get labeled as "progress" and "revitalization?" How did the forceful seizing of property in a free society

get labeled as "public interest?" How did we lose our way as the city of Lincoln, a town dedicated to average people with big dreams and the energy to make them come true?

I urge you to protect our fundamental rights and not trample them in the name of revenue or progress. We are not so desperate for tax dollars that we need to bow down to developers like John Q. Hammons, a classic robber baron who mows down everything in his path. The ends do not justify the means in this case, for the means violate everything Lincoln stands for. If we sell out our values for money, we lose our soul as a community and nothing good will come of it.

Sincerely,

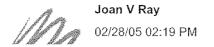
Maureen Honey

426 South 28th Street

Maureon Horiey

Lincoln, Nebraska

Resident of 26 years



CC:

Subject: Eminent Domain

---- Forwarded by Joan V Ray/Notes on 02/28/2005 02:22 PM ----



J C Hancock <jchancock1776@yaho o.com>

To: council@ci.lincoln.ne.us

CC:

Subject: Eminent Domain

02/28/2005 01:12 PM

Council Representatives,

I have been following the issue of eminent domain and the development of Lincoln. You don't seem to realize that Private ownership of land is one of the reason that America is the economic powerhouse of the world.

With the ownership, comes dignity and pride. With ownership comes a responsibility tomuse that land in the most beneficial manner. That is what the property owners of the block at 17th & "Q" Street have done. These folks represent the average Lincolnite, which means that through investing their own money, time, and effort (plus a little luck) they have established themselves as pillars of this Community.

Now because a WEALTHY man has decided that he was to take that property for his own use. You are going to deny our fellow Lincolnites their basic property rights. This is a very short term solution to a real problem.

My questions to you are what happens next?

Does this mean that anytime a "developer" wants a piece of property. you are going to give it to him/her?

Are you going to give that developer are free ride as far as taxes are concerned?

Taxes being the Tax Increment Financing (TIP) scam.

Are you going to keep taking fellow Lincolnites property at the expense of taxpayer expense, just because the developer has promised more tax dollars?

Are you going to continue demolishing buildings and properties (at taxpayers expense) for these wealthy developers?

How many other projects do you think are going to be subject to this method of operation before the citizens of Lincoln get tired of it?

Lets count them off:

The Antelope Valley(creek)Project;

The project the surounds 48th & "O" Streets;

The Downtown Lincoln Redevelopment SCAM;

The Convention Center Arena Project; (which for your information taxpayers in cities across America have been REJECTING. because of they do not meet the alledged benefits)

You need to EJECT the use of eminen domain. Because the short term benefits will not make for the long term losses to this community.

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around http://mail.yahoo.com

---- Forwarded by Joan V Ray/Notes on 02/28/2005 02:22 PM ----



"Doug Duey" <dd34711@alltel.net> 02/28/2005 01:17 PM

To: <council@ci.lincoln.ne.us>

CC:

Subject: Patte Newman re Council vote

As a tax payer I am opposed to building another hotel for an outsider to Lincoln. The businesses in the P to Q, 17th to 18 are paying taxes contributing to Lincoln as well as provide services for a number of people. What if the hotel is built and Quest Center lands NCAA, state tournaments, what will happen then to Cornhusker, Embassy Suites and new hotel. Please vote no on building the hotel. I've been opposed to the Antelope project from day one.

Thank you, Dorothy Duey, District I

---- Forwarded by Joan V Ray/Notes on 02/28/2005 02:22 PM ----



"Antrim, Kathie" <Kathie.Antrim@experi an.com>

To: <council@ci.lincoln.ne.us>

cc:

Subject: Eminent Domain usage

02/28/2005 01:26 PM

Dear Council Members,

I am writing to say that I am 'strongly against' the use of Eminent Domain for the acquisition of the city block for the Hammond hotel.

Hammond is entirely capable of paying for that block himself if he wants it. The current owners and Leasees of that block are due the additional capital he would need to pay to displace their businesses. If he is unwilling to pay that money then he does not need that block.

If the use of Eminent Domain is available any time a business person has an idea for a 'new business' that will increase the tax base for this city, then we are no longer living in a free country where each person can 'own' property.

I myself have been the owner of a business which was displaced by the use of Eminent Domain. The city does 'not' adequately compensate the owners of the properties and definitely does not adequately compensate the lessees of such properties.

For example. No compensation is give for the re-establishment of a business. Many tens or even 100's of thousands of dollars are spent in advertising a business. When eminent domain is used to take a property, money for advertising is not included in the moneys given to the current businesses. This is just one of the many ways that the city does not adequately compensate current owners.

Kathie Antrim Lincoln, NE

---- Forwarded by Joan V Ray/Notes on 02/28/2005 02:22 PM ----



Venita Steinbauer <vsteinbauer@yahoo.c

To: council@ci.lincoln.ne.us

CC:

Subject: Samurai Sam's

02/28/2005 01:44 PM

City Council Members,

I have witnessed dealings going on in the Lincoln community where the residents of Lincoln have received secondhand treatment and status when it comes to external businesses. It is time to be fair to citizens of Lincoln. Samarai Sams' Owner deserves fair remuneration if you are going to ask him to move because of a business you have deemed more desirable. If John Q. Hammons wants this space and it is indeed in the best interest of Lincoln, then as a corporation they should be held to paying the owner what he has invested into his business. This is a young enterprising college graduate who took a leap of faith, borrowed money, and made a go of his business. Now you risk taking that from him with no reasonable compensation to continue the business he has built.

I ask you to hold to fair standards and respect for the citizens of Lincoln and their businesses by treating this business owner fairly. If you want an outside business in, then require that they compensate the current occupant fairly and equitably. To do anything less is to compromise your very own integrity as respresentatives for the citizens of Lincoln.

Sincerely,

Venita S. Steinbauer

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around http://mail.yahoo.com

---- Forwarded by Joan V Ray/Notes on 02/28/2005 02:22 PM ----



To: council@ci.lincoln.ne.us

CC;

Subject: eminent Domain use YOUR Big mistake.

To the City Council.

You folks are making a HUGH mistake using eminent domain for the sake of a very wealthy individual.

The framers of the U.S.Constitution and The Bill of Rights NEVER intended it to benefit private citizens at the expense of other private citizens/property owners.

I am sure you have heard this before, the takings clause of the Fifth Amendment is, "Nor shall private property be taken for 'public use' without just compensation.

Public use means the following: roads, prisons, military bases, Bridges. In other words anything that benefits 100% Of the population. Not just any developer/business man that happens to see a property that they covet.

Just compensation means FAIR MARKET value. Realtors define Fair market Value as the price a willing buyer will give, and a willing seller will take. The key word in that definition is WILLING.

My neighbors and I have heard all of the horror stories about how prople from city hall force an amount on them or else they will use eminent domain. This amounts to THEFT.

We have also heard how county tax records at the county treasurers office are being lowered in order to make it seem like properties are in a depressed area. We don't believe this at all. City Hall is lowering the appriased values in order to take those properties at a lower cost. Then turn them over to the RICH developer.

This amounts to a betrayal of your oath of office. And I, personally, take a very dim view of your indifferent attitude.

My neighbors and I will be watching how you handle this and will Vote accordingly.

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---- Forwarded by Joan V Ray/Notes on 02/28/2005 02:22 PM ----



"jeanette" <jako@inebraska.com

To: <council@ci.lincoln.ne.us>

CC

Subject: eminent domain

02/28/2005 02:07 PM

I am a registered voter and I voted in the last election.

Please consider carefully the implications for all the property owners in the city of Lincoln when you make your decision about the the taking of private property of several owners and giving (selling) it to another. If this is done all the hard work of the not wealthy is disregarded for the benefit of one wealthy person. And the Lincoln property owners will fear that their property is subject to confiscation as is the property of a few for the benefit of Hamons. I sincerly hope that each of the current property owners has been given as much time of city officials as Hamons has, if not that seems pretty one sided.

Jeanette Fangmeyer 5401 wilkins cr Lincoln 68524